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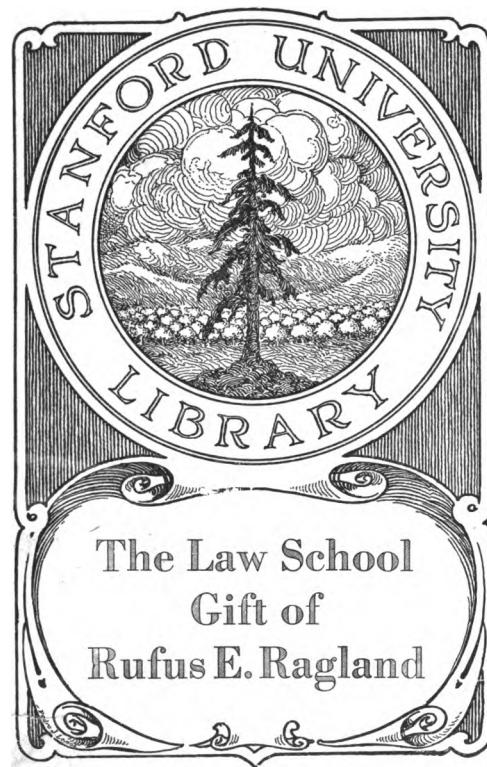
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Douglas Collection







# PUBLIC LAWS

OF THE

STATE OF IOWA.



PASSED BY THE

FIFTEENTH GENERAL ASSEMBLY,

AT ITS SESSION



BEGUN JANUARY 12, AND ENDED MARCH 19, 1874;

BEING CHAPTERS 1 TO 71 ADDITIONAL TO THE CODE.

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PUBLISHED BY AUTHORITY.

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DES MOINES:  
R. P. CLARKSON, STATE PRINTER.  
1874.

NOTE.—The words inserted in brackets [thus] in the copies of the laws hereinafter printed are deemed necessary to complete the sense; while words in italics (except the enacting clause in each act, and the word "*Provided*," &c.,) indicate that such words are either superfluous or erroneous; in the latter case the word or words supposed to be correct follow in brackets.

JOSIAH T. YOUNG, Secretary of State.

## COMMISSIONERS IN OTHER STATES.

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*List of Commissioners for Iowa in other States, qualified to act as such this 14th day of May, 1874, whose terms of office will not expire prior to July 4, 1874, published as required by Section 274 of the Code of 1873, showing the Name, Post-Office, and Date of Commission, Qualification, and Expiration of Commission.*

### CALIFORNIA.

NAME.	POST-OFFICE.	DATE OF COMMISSION.	DATE AFTER WHICH QUALIFIED TO ACT.	DATE OF EXPIRATION.
Samuel S. Murfey .....	San Francisco.	July 31, 1872	Aug. 7, 1872	Aug. 3, 1875
Frank V. Scudder .....	San Francisco.	March 20, 1873	April 4, 1873	April 3, 1876
N. Proctor Smith .....	San Francisco.	June 30, 1873	July 7, 1873	July 3, 1876
F. J. Thibault .....	San Francisco.	August 2, 1873	Aug. 29, 1873	Aug. 3, 1876
Edward Cadwalader .....	Sacramento .....	Oct. 31, 1873	Nov. 11, 1873	Nov. 3, 1876
William Haskins .....	Oakland .....	April 18, 1874	May 4, 1874	May 3, 1877

### CONNECTICUT.

Geo. W. Warner .....	Bridgeport .....	Dec. 9, 1871	Jan. 4, 1872	Jan. 20, 1875
David G. Gordon .....	Hartford .....	March 13, 1872	April 15, 1872	April 3, 1875
Henry E. Taintor .....	Hartford .....	April 10, 1873	May 4, 1873	May 3, 1876
Edward Goodman .....	Hartford .....	Aug. 27, 1873	Sept. 4, 1873	Sept. 3, 1876

### DISTRICT OF COLUMBIA.

Ephraim Killpatrick .....	Washington .....	June 18, 1873	July 4, 1873	July 3, 1876
John Bull .....	Washington .....	Sept. 4, 1873	Sept. 11, 1873	Sept. 3, 1876

### GEORGIA.

John W. Burroughs .....	Savannah .....	May 28, 1873	June 4, 1873	June 3, 1876
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### ILLINOIS.

S. S. Willard .....	Chicago .....	Dec. 20, 1871	Jan. 4, 1872	Jan. 3, 1875
Luther Lafin Mills .....	Chicago .....	Feb. 22, 1872	April 19, 1872	March 3, 1875
Henry Wisner .....	Chicago .....	Nov. 30, 1872	Dec. 30, 1872	Dec. 3, 1875
Frank M. Goodrich .....	Chicago .....	Jan. 30, 1873	Feb. 4, 1873	Feb. 3, 1876
John Calvin Wallis .....	Chicago .....	April 29, 1873	May 5, 1873	May 3, 1876
Philip A. Hoyne .....	Chicago .....	June 16, 1873	July 4, 1873	July 3, 1876
Simeon W. King .....	Chicago .....	July 1, 1873	July 4, 1873	July 3, 1876
Charles Knobelsdorff .....	Chicago .....	May 4, 1874	May 15, 1874	May 14, 1877

### LOUISIANA.

Oren D. Bragden .....	New Orleans ..	Sept. 3, 1872	Sept. 12, 1872	Sept. 3, 1875
John J. Barnett .....	New Orleans ..	March 12, 1873	April 4, 1873	April 3, 1876
Andrew Hero, Jr. ....	New Orleans ..	Aug. 27, 1873	Sept. 4, 1873	Sept. 3, 1876

## COMMISSIONERS IN OTHER STATES.

## COMMISSIONERS IN OTHER STATES—CONTINUED.

## MAINE.

NAME.	POST-OFFICE.	DATE OF COMMISSION.	DATE AFTER WHICH QUALIFIED TO ACT.	DATE OF EXPIRATION.
James O'Donnell.....	Portland.....	July 8, 1873	August 26, 1873	July 7, 1876

## MARYLAND.

Wm. Quantmeyer.....	Baltimore.....	Sept. 3, 1872	Feb. 3, 1873	Sept. 3, 1875
Wm. B. Hill.....	Baltimore.....	June 25, 1873	July 4, 1873	July 3, 1876
Henry L. Dulany.....	Baltimore.....	July 22, 1873	August 4, 1873	August 3, 1876
Wm. W. Latimer.....	Baltimore.....	Sept. 2, 1873	Sept. 5, 1873	Sept. 3, 1876
Henry Brock.....	Baltimore.....	March 24, 1874	April 4, 1874	April 3, 1877
Francis White.....	Baltimore.....	April 18, 1874	May 4, 1874	May 3, 1877

## MASSACHUSETTS.

Henry F. Brown.....	Brimfield .....	Feb. 6, 1872	March 5, 1872	Feb. 15, 1875
Charles Hall Adams.....	Boston .....	June 4, 1872	July 4, 1872	July 3, 1875
Edw'd J. Jones.....	Boston .....	Feb. 18, 1873	March 26, 1873	March 3, 1876
Samuel Jennison.....	Boston .....	June 17, 1873	July 4, 1873	July 3, 1876
Horatio Woodman.....	Boston .....	June 16, 1873	July 4, 1873	July 3, 1876
James B. Bell .....	Boston .....	July 24, 1873	July 4, 1873	July 3, 1876
Rob't B. Caverly.....	Lowell .....	July 8, 1873	July 12, 1873	July 7, 1876
Stephen P. Webb.....	Salem .....	July 22, 1873	August 4, 1873	August 3, 1876
Wm. R. Plunkett.....	Pittsfield .....	Feb. 20, 1874	March 4, 1874	March 3, 1877
John L. Coffin.....	Boston .....	Feb. 25, 1874	March 4, 1874	March 3, 1877
Geo. F. Angell.....	Boston .....	March 26, 1874	April 4, 1874	April 3, 1877

## MINNESOTA.

Chas. McCreeve.....	Minneapolis...	Feb. 13, 1872	March 4, 1872	March 3, 1876
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## MISSOURI.

Arthur J. Barnes.....	St. Louis.....	Jan. 23, 1872	Feb. 5, 1872	Feb. 4, 1875
Thomas Whitaker.....	Buckley.....	March 7, 1872	March 9, 1872	March 6, 1875
John R. Boas.....	St. Louis.....	Nov. 15, 1872	Dec. 4, 1872	Dec. 3, 1875
Wm. M. McPherson, Jr.	St. Louis.....	March 20, 1873	April 4, 1873	April 3, 1876
C. D. Greene, Jr.....	St. Louis.....	July 22, 1873	Sept. 11, 1873	July 24, 1876

## NEW HAMPSHIRE.

Wm. H. Hackett.....	Portsmouth.....	Sept. 2, 1873	Sept. 6, 1873	Sept. 3, 1875
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## NEW JERSEY.

Isaac M. Andruss.....	Newark.....	August 4, 1871	Nov. 13, 1871	August 3, 1874
Geo. P. Kingsley.....	Orange .....	April 15, 1873	May 4, 1873	May 3, 1876

## COMMISSIONERS IN OTHER STATES.

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## COMMISSIONERS IN OTHER STATES—CONTINUED.

## NEW YORK.

NAME.	POST-OFFICE.	DATE OF COMMISSION.	DATE AFTER WHICH QUALIFIED TO ACT.	DATE OF EXPIRATION.
James W. Bentley.....	Albany .....	August 3, 1871	August 9, 1871	August 3, 1874
Edward Bissell.....	New York.....	Sept. 19, 1871	Oct. 4, 1871	Oct. 3, 1874
Fred'k W. Dunton.....	New York.....	Sept. 25, 1871	Oct. 4, 1871	Oct. 3, 1874
Joseph B. Lawrence.....	New York.....	Oct. 11, 1871	Nov. 4, 1871	Nov. 3, 1874
Rufus K. McHarg.....	New York.....	Oct. 20, 1871	Oct. 25, 1871	Oct. 24, 1874
Geo. R. Jaques.....	New York.....	Nov. 9, 1871	Dec. 4, 1871	Dec. 3, 1874
Joseph T. Brown.....	New York.....	Nov. 16, 1871	Dec. 15, 1871	Dec. 3, 1874
Chas. H. Smith, Jr.....	New York.....	Dec. 21, 1871	Jan. 4, 1872	Jan. 3, 1875
Wm. Butler.....	New York.....	Jan. 26, 1872	Feb. 5, 1872	Feb. 4, 1875
Wm. H. Clarkson.....	New York.....	Jan. 30, 1872	Feb. 5, 1872	Feb. 4, 1875
Arthur P. Rose.....	Geneva .....	Jan. 30, 1872	Feb. 19, 1872	Feb. 4, 1875
Mordecai Lewis.....	New York.....	Feb. 3, 1872	Nov. 23, 1872	Feb. 4, 1875
Thomas Kilvert.....	New York.....	Feb. 14, 1872	March 6, 1872	March 3, 1875
John B. Dumont.....	New York.....	Feb. 16, 1872	April 25, 1872	April 1, 1875
Walter B. Wines.....	New York.....	March 8, 1872	April 11, 1872	March 15, 1875
William S. Burns.....	Bath .....	April 6, 1872	April 29, 1872	April 15, 1875
Horace Andrews.....	New York.....	May 25, 1872	June 4, 1872	June 3, 1875
Francis P. Burke.....	New York.....	June 25, 1872	August 1, 1872	July 3, 1875
Thomas F. Ward.....	New York.....	Sept. 25, 1872	Oct. 5, 1872	Oct. 3, 1875
Alfred Sully.....	New York.....	Sept. 25, 1872	Oct. 5, 1872	Oct. 3, 1875
Andrew W. Kent.....	New York.....	Nov. 2, 1872	Nov. 6, 1872	Nov. 3, 1875
J. G. F. Metcalf.....	New York.....	Nov. 15, 1872	Dec. 13, 1872	Dec. 3, 1875
James M. McKinlay.....	New York.....	Dec. 27, 1872	Jan. 4, 1873	Dec. 31, 1875
Chas. Edgar Mills.....	New York.....	Jan. 23, 1873	Feb. 4, 1873	Feb. 3, 1876
Lucius W. How.....	New York.....	Jan. 23, 1873	Feb. 4, 1873	Feb. 3, 1876
Henry Bennett.....	New York.....	Jan. 24, 1873	Feb. 4, 1873	Feb. 3, 1876
Arthur W. Knapp.....	New York.....	Jan. 28, 1873	Feb. 4, 1873	Feb. 3, 1876
Geo. W. Browne.....	New York.....	Feb. 4, 1873	Feb. 15, 1873	Feb. 14, 1876
John A. Hillery.....	New York.....	Feb. 11, 1873	Feb. 18, 1873	Feb. 17, 1876
Marvin J. Merchant.....	New York.....	April 3, 1873	April 7, 1873	April 3, 1876
Monroe Crannell.....	Albany .....	May 6, 1873	May 15, 1873	May 14, 1876
Dayid W. Price.....	New York.....	June 2, 1873	June 12, 1873	June 3, 1876
James D. Warner.....	New York.....	June 12, 1873	June 16, 1873	June 15, 1876
Geo. Woodman.....	New York.....	June 16, 1873	July 9, 1873	July 8, 1876
Henry C. Banks.....	New York.....	June 20, 1873	July 4, 1873	July 3, 1876
Joseph B. Nones.....	New York.....	June 23, 1873	July 4, 1873	July 3, 1876
Frederick R. Anderson	New York.....	July 1, 1873	July 7, 1873	July 3, 1876
John Bissell.....	New York.....	July 12, 1873	July 16, 1873	July 11, 1876
Edwin F. Corey, Jr.....	New York.....	July 22, 1873	Aug. 19, 1873	July 7, 1876
Chas. Nettleton.....	New York.....	July 22, 1873	Sept. 10, 1873	July 7, 1876
Edward Wade.....	Albany .....	July 22, 1873	July 26, 1873	July 7, 1876
William Savage.....	New York.....	Aug. 2, 1873	Aug. 19, 1873	Aug. 3, 1876
David McAdam .....	New York.....	Aug. 14, 1873	Aug. 19, 1873	Aug. 14, 1876
Armour C. Anderson.....	New York.....	Oct. 31, 1873	Nov. 5, 1873	Nov. 3, 1876
Joseph Hillman.....	Troy .....	Dec. 15, 1873	Dec. 22, 1873	Dec. 21, 1876
Harold A. Bagley.....	New York.....	Dec. 8, 1873	Dec. 15, 1873	Dec. 14, 1876
Wm. F. Lett.....	New York.....	Jan. 16, 1874	Feb. 4, 1874	Feb. 3, 1877
Wm. E. Osborn.....	Brooklyn .....	Feb. 3, 1874	March 17, 1874	Feb. 3, 1877
James Taylor.....	New York.....	Feb. 21, 1874	March 2, 1874	March 1, 1877
Geo. W. Colles.....	New York.....	March 3, 1874	March 11, 1874	March 3, 1877

## COMMISSIONERS IN OTHER STATES.

## COMMISSIONERS IN OTHER STATES—CONTINUED.

## OHIO.

NAME.	POST-OFFICE.	DATE OF COMMISSION.	DATE AFTER WHICH QUALIFIED TO ACT.	DATE OF EXPIRATION.
James Finley Brown ...	Columbus .....	May 7, 1872	July 24, 1872	June 3, 1873
Saml. S. Carpenter.....	Cincinnati .....	July 8, 1873	July 12, 1873	July 7, 1876
James Wade, Jr.....	Cleveland .....	July 22, 1873	Aug. 4, 1873	Aug. 3, 1876
Howard Douglas .....	Cincinnati .....	Sept. 2, 1873	Sep. 5, 1873	Sept. 3, 1876

## PENNSYLVANIA.

Albert L. Wilson .....	Philadelphia...	Jan. 26, 1872	Feb. 10, 1872	Feb. 4, 1875
Henry E. Hindmarsh...	Philadelphia...	March 13, 1872	April 4, 1872	April 3, 1875
Benjamin Grant.....	Erie .....	May 25, 1872	June 4, 1872	June 3, 1875
H. P. Roche.....	Philadelphia...	June 20, 1872	July 4, 1872	July 3, 1875
Henry Phillips, Jr.....	Philadelphia...	Nov. 11, 1872	Nov. 29, 1872	Nov. 28, 1875
Chas. Chauncey .....	Philadelphia...	Nov. 19, 1872	Dec. 4, 1872	Dec. 3, 1875
F. Herbert Janvier .....	Philadelphia...	Jan. 7, 1873	Feb. 15, 1873	Feb. 14, 1876
William B. Wiley .....	Lancaster .....	Feb. 18, 1873	March 4, 1873	March 3, 1876
Henry Reed .....	Philadelphia...	March 25, 1873	April 12, 1873	April 3, 1876
Edward Shippen .....	Philadelphia...	June 16, 1873	July 4, 1873	July 3, 1876
Kinley J. Tener.....	Philadelphia...	June 16, 1873	July 4, 1873	July 3, 1876
John Russell.....	Philadelphia...	July 1, 1873	July 7, 1873	July 3, 1876
Wm. F. Robb .....	Pittsburg.....	July 2, 1873	July 7, 1873	July 3, 1876
Saml. L. Taylor.....	Philadelphia...	July 8, 1873	July 12, 1873	July 7, 1876
John Howell Wheeler ..	Philadelphia...	July 8, 1873	July 12, 1873	July 7, 1876
Theo. D. Rand .....	Philadelphia...	Aug. 2, 1873	Aug. 6, 1873	Aug. 3, 1876
Joshua Spering.....	Philadelphia...	Aug. 27, 1873	Sept. 4, 1873	Sept. 3, 1876
Samuel B. Huey .....	Philadelphia...	Sept. 23, 1873	Oct. 4, 1873	Oct. 3, 1876
John Sparhawk .....	Philadelphia...	Oct. 31, 1873	Nov. 4, 1873	Nov. 3, 1876
Edward D. Ledyard.....	Philadelphia...	Dec. 1, 1873	Dec. 9, 1873	Dec. 3, 1876
Joseph S. Perot.....	Philadelphia...	March 17, 1874	April 10, 1874	April 3, 1877
J. Paul Diver.....	Philadelphia...	March 17, 1874	March 23, 1874	March 15, 1877

## RHODE ISLAND.

Charles Selden .....	Providence.....	March 3, 1874	March 16, 1874	March 15, 1877
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## SOUTH CAROLINA.

Augustus E. Cohen .....	Charleston .....	July 29, 1872	Aug. 5, 1872	Aug. 3, 1875
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## TENNESSEE.

Henry F. Dix.....	Memphis.....	Sept. 16, 1871	Oct. 12, 1871	Oct. 3, 1874
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## COMMISSIONERS IN OTHER STATES—CONTINUED.

## VERMONT.

NAME.	POST-OFFICE.	DATE OF COMMISSION.	DATE AFTER WHICH QUALIFIED TO ACT.	DATE OF EXPIRATION.
William S. Newton.....	Brattleboro ...	March 28, 1873	May 1, 1873	April 3, 1876

## VIRGINIA.

John S. Rady .....	Richmond .....	Aug. 20, 1872	Sept. 4, 1872	Sept. 3, 1875
Geo. C. Holt .....	Halifax C. H...	Dec. 1, 1873	Dec. 6, 1873	Dec. 3, 1876

## UTAH TERRITORY.

William Clayton .....	Salt Lake .....	Feb. 17, 1872	March 4, 1872	March 3, 1875
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\*This is the correct title, that appearing in the body of the book being defective.

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\* Erroneously printed 946 in the title to the published act.

<sup>†</sup> Erroneously given as Title.

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48	An Act to Amend Section 4779, Chapter 2, Title 26, of the Code ["Of the Penitentiary of the State, and the Government and Discipline thereof"].....	S. F. 78	36
49	An Act to Amend Sections 2131, 2133, 2134, and 2135 of the Code, [Title XIV., Chapter 8,] relating to Mechanics' Liens....	S. F. 224	36
50	An Act to Provide for the Appointment of a Board of Fish Commissioners, for the Construction of Fish-ways, for the Protection and Propagation of Fish, and to Repeal Sections 4052 and 4053, and to Amend Section 4054 [Code, Title XXIV., chapter 2, relating to Offenses against Public Policy].....	H. F. 222	38
51	An Act to Authorize Cities and Towns to Provide for the Improvement of Alleys. [Amendatory of Code, Title IV., Chapter 10: "Of the Incorporation of Cities and Towns].....	S. F. 129	40
52	An Act to Amend Section 509 of the Code of 1873 [Title IV., Chapter 10: "Of Cities and Incorporated Towns"].....	S. F. 125	41
53	An Act to Amend Sections 1386, 1392, 1436, and 1438 of Chapter Two, Title Eleven of the Code [relating to the Care of the Insane] .....	S. F. 230	41

\*Improperly referred to in the body of the book as amendatory of Title XI., Chapter 4.

† Appears in body of book erroneously: "Chapter 12."

CHAPTER.	TITLE.	NO. OF BILL AND WHERE INTRODUCED.	PAGE.	
54	An Act to Authorize the Resurvey and Platting of City or Town Plats, or Additions thereto, in cases where the original Plats have been lost and not Acknowledged or Recorded. [Additional to Code, Title IV., Chapter 12: "Of Plats."].	S. F. 191	42	
55	An Act to Amend Section 1144, of Chapter 4, of Title IX. of the Code [relating to Insurance Companies].	S. F. 200	44	
56	An Act to Amend Sections 3181 and 3182 of the Code of 1873 [Title XIX., Chapter 2: "Of Appellate Proceedings in the Supreme Court."].	S. F. 138	44	
57	An Act to Provide for holding Teachers' Normal Institutes. [Amendatory of Code, Title VII., Chapter 9: "Of the System of Common Schools."].	S. F. 119	45	
58	An Act to Fix the Compensation of State Printer and State Binder. [Amendatory of Code, Title XXII., Chapter 1, relating to the Compensation of State and District Officers.].	H. F. 19	46	
59	An Act to Prohibit the Encouragement of Minors to remain in certain Buildings. [Additional to Code, Title XXIV., Chapter 11*, relating to Offenses against Public Policy].	S. F. 121	46	
60	An Act to Provide for the Organization and Management of Savings Banks. [Additional to Code, Title XI., Chapter 9: "Of Quarterly Bank Statements."].	S. F. 48	47	
61	An Act in relation to Vacation of Town-Plats. [Additional to Code, Title IV., Chapter 12: "Of Plats."].	S. F. 269	57	
62	An Act to Amend Section 906 of the Code [Title VI., Chapter 2: "Of the Collection of Taxes"].	S. F. 244	58	
63	An Act to Amend Section 812, Chapter 1, Title 6, Code of Iowa [relating to the Assessment of Taxes].	H. F. 45	58	
64	An Act to Establish and Maintain Industrial Expositions in Public Schools of the State. [Additional to Code, Title XII., Chapter 9: "Of the System of Common Schools."].	S. F. 170	59	
65	An Act to Amend Section 1260, Chapter 4, Title 10, of the Code of Iowa [relating to taking Private Property for Works of Internal Improvement].	S. F. 70	59	
66	An Act to Amend Section 800 of the Code of 1873 [Title VI., Chapter 1: "Of the Assessment of Taxes"].	H. F. 334	60	
67	An Act Allowing School-Districts lying in two Adjoining Counties the Right to vote Mills instead of specific Sums for School Purposes. [Additional to Code, Title XII., Chapter 9: "Of the System of Common Schools."].	H. F. 193	60	
68	An Act to Establish Reasonable Maximum Rates of Charges for the Transportation of Freight and Passengers on the different Railroads of this State. [Amendatory of Code, Title X., Chapter 5: "Of Railways."].	{ S. F. 12, 13 25, 26, 49, 66 73 and 104	61	
69	An Act to Repeal Section 4048, Title XXIV., Chapter 11, of the Code, and to Enact a Substitute in Lieu thereof.	S. F. 212	91	
70	An Act to Amend Chapter 3, Title XI. of the Code, in Relation to Domestic and other Animals.	H. F. 216	93	
71	An Act to regulate the leasing of lands belonging to the Iowa State Agricultural College. [Amendatory of Title XII., Chapter 3].			

\*Erroneously published "Chapter 12" in the body of the work.



# PUBLIC LAWS

OF THE

## FIFTEENTH GENERAL ASSEMBLY

OF THE

### STATE OF IOWA.

PASSED AT THE REGULAR SESSION THEREOF, HELD AT DES  
MOINES, THE CAPITAL OF THE STATE, BEGUN ON THE  
TWELFTH DAY OF JANUARY, AND ENDED  
ON THE NINETEENTH DAY OF  
MARCH, A. D. MDCCCLXXIV.

#### CHAPTER 1.

##### STATIONERY FOR LEGISLATIVE COMMITTEES.

AN ACT to Authorize the Secretary of State to Furnish Stationery for S. F. 65.  
the Use of standing or select Committees of the General Assembly,  
or either Branch thereof. [Additional to Code, Title I., Chapter 2:  
"Of the General Assembly."]

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That it is hereby made the duty of the secretary of state to furnish to and supply the standing committees of the senate and house of representatives, and any select or special committees that are or may be raised or appointed by the general assembly, or either branch thereof, with all the stationery necessary for the use of such committees.

SEC. 2. That, in order to draw such stationery, the chairman of each of said committees shall from time to time, as he may deem necessary, make out his requisition on the secretary of state for the amount and kind *that is* deemed necessary, and upon presentation thereof, to said secretary, he shall deliver the same to said chairman and take a receipt therefor, which requisition

and receipt shall be filed in the office of said secretary, and shall be a sufficient voucher to him for such stationery.

SEC. 3. This act, being deemed of immediate importance, shall be in force from and after its publication in *The Daily State Register* and *Daily State Leader*, newspapers published at Des Moines, Iowa, anything contained in chapter three of the code to the contrary notwithstanding.

Approved February 5th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Register*, and *The Iowa Daily State Leader*, February 7, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 2.

### LIFE INSURANCE COMPANIES.

S. F. 88. AN ACT to Amend Chapter Five of Title Nine of the Code, ["Of Life Insurance Companies,"] and to Release certain Penalties.

Code: § 1166. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1166 of said code be and the same is hereby repealed, and in lieu thereof is enacted the following: "Section 1166. No agent shall act for any company referred to in the foregoing section, directly or indirectly, in taking risks, "collecting premiums, or in any manner transacting the business "of life insurance in this state, without procuring from said "auditor a certificate of authority, stating that the foregoing requirements have been complied with, and setting forth the name "of the attorney for each company, a certified copy of which certificate shall be filed in the county recorder's office of the county "where the agency is to be established, and shall be the authority "of such company and agent to commence business in this state, "and such company, or its agent or attorney, shall, annually, by "the first day of April, file with the auditor of state a statement "of its affairs for the year terminating on the 31st day of December preceding, in the same manner and form provided for "similar companies organized in this state."

§ 1167. Company's annual statement to be made by April 1st. SECTION 2. That section 1167 of said code be amended by striking out of the third line of said section the words "or doing business in this state."

§ 1170. Company's annual certificate. SECTION 3. That section 1170 of said code be and the same is hereby repealed, and in lieu thereof is enacted the following: "Section 1170. On receipt of the deposit and statement "from any company as provided in the preceding sections, and "the statement and evidence of investment according to law "of foreign companies, which shall be renewed annually, the "auditor shall issue a certificate setting forth the corporate name "of the company; its principal office or agency in the State; that "it has fully complied with the laws of this State in relation to

"life insurance companies, and is authorized to transact the business of life insurance for twelve months from the date of such certificate, or until the expiration of the thirty days' notice given by the auditor of the next annual valuation of its policies, said certificate to expire on the first day of April in the year following after it is issued."

SEC. 4. That section 1171 of said code be and the same is hereby repealed and in lieu thereof is enacted the following:

"Section 1171. Upon the failure of any company organized in this state to make the deposit, or file the statement in the time stated herein, the auditor shall notify the attorney-general of the default, who shall at once apply to the district or circuit court if in session, or, if in vacation, to any judge thereof, for an order requiring said company to show cause why its business shall not be closed; and, if upon hearing the company shall fail to show sufficient cause for neglecting to make the deposit, or file the statement required by this chapter, then the court shall decree its dissolution. Companies organized and chartered by the laws of any foreign state or country, failing to file the evidence of deposit and the statement within the time stated herein, shall be subject to the penalties prescribed in section 1177."

SEC. 5. That section 1177 of said code be and the same is hereby repealed, and the provisions of subdivision one of section

forty-five of the code shall in no way apply to this repeal, and in lieu of said section 1177 is enacted the following:

"Section 1177. Any company doing business in this State without the certificate required by section (1170) eleven hundred and seventy of this chapter, shall forfeit one hundred dollars for every day's neglect to procure said certificate. Any agent making insurance, or soliciting applications for any company having no certificate from the auditor, shall forfeit the sum of three hundred dollars, and any person acting for a company authorized to transact business in this state, without having the certificate prescribed in section 1166, issued by the auditor of state, in his possession, shall be liable to pay twenty-five dollars for each day's neglect to procure such certificate."

SEC. 6. Section 1178 of said code is hereby repealed, and the provisions of subdivision one of section 45 of the code shall not apply to this repeal, and in lieu of said section 1178 is enacted the following:

"Section 1178. Suits brought to recover any of the penalties provided for in this chapter shall be instituted in the name of the State of Iowa by the district-attorney of the district, under the direction and by the authority of the auditor of state, and may be brought in the district or circuit court of any county in which the company proceeded against is engaged in the transaction of business, or in which the agent resides, in cases in which the proceeding is against the agent individually. Said penalties when recovered shall be paid into the state treasury for the use of the school-fund."

SEC. 7. That in all cases in which any of the life insurance companies doing business in this state, or their agents, have heretofore failed to file the statements with the auditor of state, and to

Penalty for failure to make deposit or statement: home companies;

Foreign companies.

Penalty for doing business without certificate: company; agent.

Recovery of penalties.

To be paid into state treasury.

procure the certificates, required by the provisions of chapter 173 of the acts of the 12th general assembly, and of chapter (5) five of title nine (9) of the code of Iowa, within the times therein limited, but have, in fact, subsequently filed such statements, and procured certificates from the auditor of state, such filing of said statements and procuring of certificates shall be taken and deemed to be a fulfillment of the requirements and provisions of said acts above named, on the part of said companies and their agents, and shall have the same force and effect as though such statements had been filed and the certificates had been issued within the times limited and fixed in said chapter 173 of the acts of the twelfth (12th) general assembly, and chapter five (5) of title nine (9) of the code of Iowa, and no fine, penalty, or forfeiture shall be held or deemed to have been incurred by any of said companies, or their agents, through the transaction of business by said companies or their agents previous to the issuing of the said certificates by the auditor of state; and all forfeitures, fines, and penalties heretofore incurred by any of said life insurance companies, or by the agents thereof, be and the same are hereby released, remitted, and discharged.

*Penalties released in certain cases.*  
Publication clause.

SEC. 8. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Daily State Register and Iowa Daily Leader, newspapers published at Des Moines, Iowa, without expense to the State.

Approved February 6th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Daily Iowa State Register* and *The Iowa Daily State Leader* February 7, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 3.

### PAYMENT OF MEMBERS, OFFICERS, AND EMPLOYEES OF THE GENERAL ASSEMBLY.

H. F. 118. AN ACT to amend Section 12, of Chapter 2, of the Code, and to Provide for the Payment of the Members, Officers, and Employees of the General Assembly.

*Be it enacted by the General Assembly of the State of Iowa:*

*Code § 12.* SECTION 1. That there be added to section twelve (12) of chapter two (2) of the code the words following, to-wit:

*Mode of paying mileage of members of general assembly.* "Within thirty days after the convening of the general assembly, the presiding officers of the two houses shall jointly certify, to the auditor of state, the names of the members, officers, and employees of their respective houses, and the amount of mileage due each member respectively, who shall thereupon draw a warrant upon the state treasurer for the amount due each member for mileage as above certified. He shall also issue to each member of

the general assembly, at the end of the said thirty days, a warrant for one-half the salary due each member for the session, and the same of salary remaining one-half at the close of the session, and *that* at the close of any extra or adjourned session the compensation of the members shall be paid upon certificate of the presiding officers of each house, showing the number of days of allowance and the compensation as provided by law."

SEC. 2. He shall also issue to each officer and employee of the general assembly, upon the certificate of the presiding officer of the house to which such officer or employee belongs, a warrant, from time to time, for the amount due said officer or employee for services rendered.

SEC. 3. He shall also issue warrants from time to time, to the postmaster, assistant postmaster, and mail-carrier, upon certificates signed by the president of the senate and the speaker of the house, for the amount due said officers for services rendered.

SEC. 4. Said warrants shall be paid out of any moneys in the treasury not otherwise appropriated.

SEC. 5. This act shall take effect immediately from and after its publication in *The Iowa Daily State Register* and *Daily State Leader* anything in the code to the contrary notwithstanding.

Approved February 17th, 1874.

I hereby certify that the foregoing act was published in *The Iowa Daily State Leader* February 18, and in *The Iowa Daily State Register* February 19, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 4.

### STATE AGRICULTURAL SOCIETY.

AN ACT to repeal section 1105.

S. F. 1.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa, That section 1105 of the code be and the same is hereby repealed.*

SEC. 2. This act being deemed of immediate importance by the general assembly shall take effect from and after its publication in *The Iowa State Register* and *The Iowa State Journal*, published at Des Moines, Iowa.

Approved February 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Daily State Journal* February 19, and in *The Daily Iowa State Register* February 20, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 5.

## RAILROAD AND WAGON BRIDGES.

H. F. 179. AN ACT to Empower Cities and Towns to make Contracts with Railroad and Bridge Companies for the Use of Wagon-Bridges across Rivers.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1.** That all cities situate on any river in the state, whether organized and existing under special charter or by general law, and from which to the opposite shore of any of said rivers a bridge has been or may be constructed by any railroad or other private company, corporation, or person, shall have power to contract, with the company, corporation, or person owning such bridge, for the use of the same as a public highway, jointly with any company, corporation, or person having or desiring the right to use the same for the passage of cars propelled by steam, or otherwise, and in such contract may have the right to assume sole liability for damage to persons or property by reason of their being on any part of said bridge or on an approach to either end thereof caused by the running of cars or locomotives by any corporation, company, or person entitled to use said bridge, whether such damage results from the negligence of the persons engaged in running said cars or locomotives or otherwise; and to indemnify and save harmless the owners of said bridge, and any or all corporations, companies, or persons entitled to use the same, from all liability for damage so caused; and said city may thereafter manage and control said bridge either as a free or a toll bridge, and prescribe such rates of toll as to it from time to time shall seem proper, and make all necessary police regulations for the government of said bridge.

**SEC. 2.** This act being deemed of immediate importance shall be in force from and after its publication in The Iowa Daily State Leader, published in the city of Des Moines, and The Dubuque Herald, published in the city of Dubuque.

Approved February 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Leader* February 23, and in *The Dubuque Herald* February 25, 1874.

JOSIAH T. YOUNG, Secretary of State.

**May assume liability for damage to persons and property.**

**May control such bridges.**

**Publication clause.**

## CHAPTER 6.

## RAILWAYS IN CITIES AND TOWNS.

AN ACT to Amend Section 464 [Chapter 10, Title IV., "Of Cities S. F. 59. " and Incorporated Towns,"] of the Code of 1873.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That section 464, of the code of 1873, be amended Code: § 464. by striking out of said section the words, "Compensation of inju- § 470. ries arising from regrade of streets, in section 470 of this Compensation chapter," and adding thereto, in lieu thereof, the following caused by words, "Taking private property for works of internal improve- railways in cities and towns. ment, in chapter 4 of title 10 of the code of 1873."

SEC. 2. This act being, by the general assembly, deemed of Publication immediate importance shall take effect and be in force from and after its publication in The Daily Iowa State Register and Daily State Leader, newspapers published in Des Moines, Iowa,

Approved March 2d, 1874.

I hereby certify that the foregoing act was published in Des Moines in *The Iowa Daily State Leader* March 3, and in *The Daily Iowa State Register* March 4, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 7.

## COMPENSATION OF TRUSTEES OF AGRICULTURAL COLLEGE.

AN ACT to Pay the Board of Trustees of the Iowa State Agricultural S. F. 87. College and Farm. [Amendatory of Chapter 3, Title XII., of the Code.]

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the auditor of state is hereby authorized Auditor to audit and allow the claims of the board of trustees from and pay of trustees of ag- after the first day of September, 1873, in accordance with section 1608 of the code of 1873. ricultural college.

SEC. 2. This act, being deemed of immediate importance, shall take effect from and after its publication in The Iowa State Register, and Iowa State Leader, newspapers published in Des Moines, Iowa.

Approved March 5th, 1874.

I hereby certify that the foregoing act was published in Des Moines in *The Iowa Daily State Leader* March 6, and in *The Daily Iowa State Register* March 8, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 8.

## PERMANENT SURVEY OF LANDS.

## S. F. 98. AN ACT to Provide for the Permanent Survey of Lands.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Iowa, That, whenever the owner or owners of adjacent tracts of land shall desire to establish permanently the lines and corners thereof between them, he, she, or they may enter into a written agreement to employ and abide by the survey of some surveyor; and after said survey is completed, a plat thereof with a description of all corners and lines plainly marked and described thereon, together with the written agreement of the parties, shall be recorded in the recorder's office of the county where the lands are situated: or after any survey of lands is completed and the parties interested therein as owners are satisfied with such survey, or when the owners of adjoining lands desire to perpetuate existing lines and corners heretofore made between them, it shall be lawful for them to cause a plat thereof to be made with a description of all such lines and corners made thereon, which plat shall be acknowledged before some officer authorized to take the acknowledgment of deeds, and signed by each of said owners as an agreement between them so far as relates to such lines and corners; all of which shall be recorded in the recorder's office of the county in which the lands are situated; and the lines and corners so made, and described and recorded, shall be binding upon the parties entering into said agreement and signing said plats, their heirs, successors, and assigns, and shall never be changed.*

**SEC. 2.** Whenever one or more proprietors of land in this state, the corners and boundaries of whose lands are lost, destroyed, or are in dispute, or who are desirous of having said corners and boundaries permanently established, *and who will not enter into agreement as provided by section first of this act, it shall be lawful for said proprietor or proprietors that they shall cause a notice in writing to be served on the owner or owners of adjacent tract or tracts, if known and residing in the county where said lands are situated, or if not known and not residing in such county, by publishing in a newspaper published in such county, and if no newspaper shall be published then by putting up in four different public places in said county, a written or printed notice to the effect that on a day named therein he, she, or they will make application to the district court of the county in which said lands are situated, at its next succeeding term, for the appointment of a commission of one or more surveyors to make survey of and permanently establish said corners and boundaries, which notice shall be posted up at least four weeks before the time appointed for said application; and one of said notices shall be in the precinct or township in which said corners and boundaries are situated.*

**Surveys upon agreement of owners of adjacent lands.**

**Record.**

**Plats of completed surveys.**

**Perpetuation of existing lines and corners.**

**Record.**

**Lines and corners binding.**

**Mode of obtaining survey where owners do not agree to same.**

**Notice; and how served.**

SEC. 3. Upon the filing of proper petition and proof of due notice aforesaid, the said court shall appoint a commission of one or more surveyors, entirely disinterested, to make said survey, and who shall proceed to make said survey and report his or their proceedings to that or the next term of said court, accompanied by a plat and notes of said survey; and each of said surveyors shall be authorized to administer an oath to any of the assistants necessary in the execution of said survey, to faithfully and impartially perform their respective duties, and take the evidence under oath administered by the surveyor, and incorporate the same with his or their survey, of any person or persons, who may be able to identify any original government corner, or witness thereto, or government line, tree, or other noted object, or any other legally established corner, or other corners that have been recognized as such by the adjoining proprietors for over ten years.

SEC. 4. Upon the filing of said report, any person whose interests may be affected by said survey shall be at liberty to enter his objections to said report, and the court shall hear and determine said objections, and enter an order or judgment either approving or rejecting said report, or modifying and amending the same according to the rights and interests of the parties, or may refer the same back to said commission to correct their report and survey in conformity with the judgment of the court; or the court may for good reason set aside said commission and appoint a new one, who shall proceed anew, and determine the boundaries and corners of the lands in question. The corners and boundaries established in said survey, as approved in the final judgment of the court, if not appealed from within thirty days, shall be held and considered as permanently and unalterably established according to said survey. The expenses and costs of the surveys and suit shall be apportioned among all the parties according to their respective interests.

Approved March 5th, 1874.

## CHAPTER 9.

### COUNTY INDEBTEDNESS.

AN ACT to Amend Section 289 and Section 290 of the Code of 1873 H. F. 81.  
[Title IV., Chapter 1: "Of Counties."]

*Be it enacted by the General Assembly of the State of Iowa, That section 289 of the code of 1873 be amended as follows:* Any county may fund debt existing Strike out, in the first and second lines of said section, the words, January 1, 1874. "Having a population exceeding seven thousand inhabitants";— strike out of the third line of said section, the figures "1872" and insert the figures "1874";—strike out of section 290, eighth line, the figures "1872" and insert the figures "1874."

Approved March 5th, 1874.

## CHAPTER 10.

## APPEARANCE IN CIVIL PROCEEDINGS.

**H. F. 128.** **AN ACT** to Amend Section 2626 of the Code of Iowa, [Title XVII., Chapter 6: "Of the Manner of Commencing Actions."]

**Code: § 2626.** *Be it enacted by the General Assembly of the State of Iowa,* That section 2626 of the code of Iowa be and the same is hereby amended by adding thereto, as subdivision 4 of said section, the following:

**Members of general assembly not required to answer civil proceeding during session.** **Nor any person on holidays.** "4. No member of the general assembly shall be held to appear or answer any civil action or special proceeding, in any court of record, or inferior court, while such general assembly is in session, nor shall any person be so held to answer or appear, in any such court, on the 1st day of January, the 4th day of July, the 25th day of December, or *on* any day of thanksgiving appointed by the president of the United States or by the governor of this state."

Approved March 5th, 1874.

## CHAPTER 11.

## PENALTY FOR LARCENY.

**S. F. 31.** **AN ACT** to Repeal Sections 3903 and 3904 of the Code of 1873, [Title XXIV., Chapter 4: concerning "Larceny and Receiving Stolen Goods,"] and to Provide a Substitute therefor.

**§§ 3903 and 3904.** *Be it enacted by the General Assembly of the State of Iowa,* That sections 3903 and 3904 of the code of Iowa of 1873 be and the same are hereby repealed and the following is enacted in lieu thereof :

**Penalty for larceny: in night time.** "Sec. 3903. If any person in the night-time commit larceny in any dwelling-house, store, or any public or private building, or in any boat, vessel, or water-craft when the value of the property stolen exceeds the sum of twenty dollars, he shall be imprisoned in the penitentiary not exceeding ten years; and, when the value of the property stolen does not exceed twenty dollars, by fine not exceeding three hundred dollars and imprisonment in the county jail not exceeding one year.

**In day-time.** "Sec. 3904. If any person in the day-time commit larceny as specified in the preceding section, and the value of the property stolen exceeds twenty dollars, he shall be punished by imprisonment in the penitentiary not more than five years; and, when the value of the property stolen does not exceed twenty dollars, by fine not exceeding two hundred dollars and imprisonment in the county jail not exceeding one year."

Approved March 5th, 1874.

## CHAPTER 12.

## TERMS OF COURT.

AN ACT to Amend Section No. 165 of the Code. [Title III., Chapter H. F. 65. 5: "Of the District and Circuit Courts and Judges thereof."]

*Be it enacted by the General Assembly of the State of Iowa:* Two terms of court in each SECTION 1. That section No. one hundred and sixty-five (165) of the code be amended by striking out in the first line thereof the words "one term" and inserting therein in lieu thereof the words "two terms."

SEC. 2. That the district and circuit judges of each judicial district, wherein any county is situated for which a less number of terms of court has been appointed for the year A. D. 1875 than is provided by section No. 165 of the code as herein amended, shall on or before the first Monday in December A. D. 1874 redesignate and fix, in the manner by law provided, the times of holding said courts in the several counties thereof, for the year A. D. 1875, in accordance with said section of the code, as by act amended.

Approved March 7th, 1874.

## CHAPTER 13.

## BURGLAR TOOLS OR IMPLEMENTS.

AN ACT for the Punishment of Persons having in their Possession H. F. 220. Burglar Tools or Implements with Intent to Commit the Crime of Burglary. [Additional to Chapter 3, Title XXIV., Code, concerning "Offenses against Property."]

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That if any person shall be found, having in his possession at any time any burglar tools or implements, with intent to commit the crime of burglary, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days, and it shall be the duty of the court before whom such conviction is had to retain possession of such burglar tools or implements, to be used in evidence in any court in which said person is tried.

Approved March 10th, 1874.

## CHAPTER 14.

## RELATING TO STEAM-BOILERS.

H. F. 52. AN ACT to Punish Carelessness in the Use of Steam-Boilers. [Additional to Code, Title XI., "Of the Police of the State," and Title XXIV., Ch. 11, concerning "Offenses against Public Policy."]

Steam boilers, how to be equipped. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That it shall be the duty of any person owning or operating steam-boilers in this State to provide such boilers with steam-gauge, safety-valve, and water-gauge and keep the same in good order.

Fine for neglect, \$50 to \$500. SEC. 2. That any person neglecting to comply with the provisions of this act shall be deemed guilty of a misdemeanor and shall be punished by fine not less than fifty nor more than five hundred dollars.

Approved March 12th, 1874.

## CHAPTER 15.

## DISTRIBUTION OF COPIES OF THE CODE.

S. J. 30.

County auditor to furnish code to public institutions, justices, and township clerks.

Where already furnished, legalized.

County auditor may draw upon secretary of state, when.

AN ACT to Provide State Institutions, Justices of the Peace, and Township Clerks with Copies of the Code.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That it shall be the duty of the auditor of each county in the state to furnish to any state institution in his county, and to each justice of the peace and township clerk of such county, a copy of the code, and take a receipt therefor, which receipt shall be a sufficient voucher for the county auditor in his settlement with the auditor of state: *Provided*, Such distribution can be made without a reprint of the code.

SEC. 2. In all cases where the county auditors have already furnished copies of the code to the justices of the peace or township clerks or any of them in their respective counties, such action by said county auditors is hereby legalized, and his sworn statement of the number of copies, so furnished, shall be a sufficient voucher therefor in his settlement with the auditor of state.

SEC. 3. Should the number of copies of the code in the possession of any county auditor at time of taking effect of this act be insufficient for the purposes hereinbefore mentioned, it shall be lawful for him to draw upon the secretary of state [for the] number required to make up the deficiency, who shall as soon as practicable thereafter transmit the same to such county auditor, and shall certify to the auditor of state the number of copies so transmitted by him. The auditor of state shall charge to such county auditor the number of copies of the code furnished him by the state, and shall credit him with such as have been or may

be disposed of as provided in the first and second sections of this act.

SEC. 4. It shall be the duty of every justice of the peace and township clerk, upon the expiration of his term of office, or whenever his office becomes vacant, to deposit with his successor in office, or with the county auditor, such copy of the code as well as all other books and papers which have come into his hands as such justice of the peace or township clerk.

SEC. 5. This act being deemed of immediate importance shall take effect from and after its publication in The Iowa State Register and Iowa State Leader, newspapers published in Des Moines, Iowa.

Approved March 12th, 1874.

I hereby certify that the foregoing act was published in Des Moines, in *The Daily Iowa State Register* March 15, and in *The Iowa Daily State Leader* March 16, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 16.

### PAYMENT OF JURORS.

AN ACT Relating to Payment of Jurors. [Amendatory of Code, Title S. F. 92. III., Chapter 11.]

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 245, chapter 10, title 3, of the code of 1873, be and the same is hereby repealed, and that the following be enacted as section 245 of the Code:

"Sec. 245. At the close of each term the clerk of the court must make out a certificate to each juror of the amount to which he is entitled for his services, which certificate shall authorize the county auditor to issue a warrant to each juror for the said amount on the county treasurer without the same being audited by the board of supervisors."

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in The Daily State Register and The Daily Iowa State Leader, newspapers published at Des Moines, Iowa.

Approved March 12th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Register* and in *The Iowa Daily State Leader* March 16, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 17.

## OBSTRUCTION OF HIGHWAYS.

**H. F. 9.** AN ACT to Amend Chapter 7 of Title 24 of the Code. [Concerning "Malicious Mischief and Trespass on Property."]

**Code: Title XXIV., ch. 7.** [SECTION 1.] *Be it enacted by the General Assembly of the State of Iowa*, That chapter 7 of title 24 of the code be and the same is hereby amended by adding thereto the following section, to wit: "If any person without authority or permission from the proper road supervisor shall in any manner obstruct, deface, or injure any public road or highway, by breaking up, plowing, or digging within the boundary lines thereof, he shall upon conviction be punished by a fine of not less than five dollars nor more than twenty-five dollars, or by imprisonment in the county jail not more than thirty days, at the discretion of the court."

**Penalty for obstructing or defacing roads.** [SEC. 2.] *Section 3992 1/2.* This act being deemed of immediate importance shall take effect and be in force from and after its publication in *The Iowa State Register* and *State Leader*, newspapers published at Des Moines, Iowa.

Approved March 12th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Daily Iowa State Register* March 15, and in *The Iowa Daily State Leader* March 16, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 18.

## INTERSECTING RAILWAYS.

**S. F. 201.** AN ACT to Amend Section[s] 1292 and 1293 of the Code [Title X., Ch. 5: "Of Railways."]

**Code: §§ 1292 and 1293.** *Be it enacted by the General Assembly of the State of Iowa*, That section[s] 1292 and 1293, of the code, are hereby repealed, and the following enacted in lieu thereof:

**Railways crossing or intersecting others to connect, how.** "Section 1292. Any railway corporation, operating a railway in this state, intersecting or crossing any other line of railway, of the same gauge, operated by any other company, shall, by means of a Y, or other suitable and proper means, be made to connect with such other railway so intersected or crossed; and railway companies where railroads shall be so connected shall draw over their respective roads the cars of such connecting railway; and also those of any other railway or railways connected with said roads made to connect as aforesaid, and also the cars of all transportation companies or persons, at reasonable terms, and for a compensation not exceeding their ordinary rates.

**Companies to draw cars from connecting roads.**

**Compensation.**

“Sec. 1293. When such corporations are unable to agree upon Application to court or judge when companies disagree; who may make.

the method and terms of connection and rates of transportation, either, or any person interested in having such connection made, may make application to the district or circuit court in any county in which said connection may be desired or located, or to the judge of said courts if in vacation, after ten days' notice in writing to the companies. After hearing the parties, or on default, the said judge shall appoint three disinterested persons, being presidents or superintendents of railways, or experts in railway business, without regard to their place of residence, as commissioners, to determine the method and terms of connection and rules and regulations necessary thereto: *Provided*, That the rates as fixed by the said commissioners, for freights offered or transported in the cars of the company offering the same, shall in no case exceed the local rates per mile fixed by law or set forth in the carrying companies' freight tariff prepared and made public in accordance with the laws of the state.”

Approved March 18th, 1874.

Appointment of commission to fix rates.

Rates not to exceed company's tariff.

## CHAPTER 19.

### OPENING AND WORKING HIGHWAYS.

AN ACT to Amend Title Seven, Chapter One, Section 946 of the Code. H. F. 197.  
[Concerning the Establishment of Highways.]

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That title seven, chapter one, section 949 of the Code, 1873 be and the same is hereby amended by striking out said section, and inserting in lieu thereof the following:

“[Sec. 949.] After the highway has been finally established, Plat and field-notes record-ed shall certify the same to the township clerk, and the township clerk shall certify to and direct the supervisor of highways to have the same opened and worked subject to the provisions of the next section.”

SEC. 2. This act being deemed of immediate importance shall take effect and be in force on and after its publication in the Des Moines Daily State Register and The Daily State Journal, both newspapers published in Des Moines, Iowa.

Approved March 14th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Daily State Journal* March 19, and in *The Iowa Daily State Register* March 21, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 20.

## PREFERRED STOCK IN RAILWAYS.

S. F. 188. AN ACT Authorizing Railway Corporations to issue Preferred Stock for its bonded Indebtedness. [Amendatory of Code, Title X., Chapter 5: "Of Railways."]

**SECTION 1.** *Be it enacted by the General Assembly of the State of Iowa,* That any railway corporation which has no surplus, after paying its running expenses, with which to pay the interest on its bonded indebtedness, with the assent of its bondholders, in addition to the right conferred by section 1286 of the code, may, with the assent of two-thirds of its stockholders, issue its preferred [stock], at par, to an amount equal to and not exceeding its bonded indebtedness, in exchange for its said bonded indebtedness. The said stock shall be entitled to such dividends from its net profits as the directors of the corporation may determine, not exceeding eight per cent per annum, if the same is earned in any one year, after payment of all interest on the indebtedness of the corporation, before any dividend is made to the common stock.

**SEC. 2.** This act being deemed of immediate importance shall take effect twenty days after its publication in The Iowa State Register and Iowa State Leader, newspapers printed and published at Des Moines, Iowa.

Approved March 14th, 1874.

Publication clause.

I hereby certify that the foregoing act was published in Des Moines in *The Iowa Daily State Leader* March 20, and in *The Daily Iowa State Register* March 21, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 21.

## STATE REFORM SCHOOL.

S. F. 88. AN ACT for the Support of the State Reform School. [Additional to Code, Title XII., Chapter 5.]

Appropriation for support of reform school.

How drawn.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Iowa,* That there is hereby appropriated, out of any money in the state treasury not otherwise appropriated, the sum of ten dollars per month, or so much thereof as may be necessary, for each boy or girl actually supported in the state reform school, counting the average number sustained in the school for the month; and upon the presentation to the auditor of state, each month, of a sworn statement by the superintendent of the average number of boys and girls supported by the school for the preceding month, the auditor of state shall draw his warrant on the treasurer of state in favor of the treasurer of the board of trus-

tees of the state reform school for the sum hereinbefore provided.

SEC. 2. The provisions of section 1 of this act shall apply <sup>To apply from Nov. 1, 1873.</sup> from and after November 1st, 1873.

SEC. 3. This act being deemed of immediate importance shall <sup>Publication clause.</sup> take effect and be in force from and after its publication in *The Daily State Register, and State Leader*, newspapers published in Des Moines, Iowa.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Leader* March 23, and in *The Iowa Daily State Register* March 24, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 22.

### APPEALS IN ASSESSMENT OF DAMAGES FOR MILL DAMS AND RACES.

AN ACT to Amend Section Eleven Hundred and Ninety-four of the <sup>s. F. 111.</sup> Code of Iowa of 1873. [Title XI, Chapter 2, "Of Mill Dams and Races."]

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1194 of the code of Iowa of 1873 <sup>Code: 1194.</sup> be amended by striking out the words "Circuit court" in the <sup>Appeal to</sup> ~~what court.~~ second line of said section and inserting in their place the words, "Court where the said proceedings are pending."

Approved March 18th, 1874.

## CHAPTER 23.

### LIENS UPON PROPERTY OF POLITICAL CORPORATIONS.

AN ACT to Provide for the Creation and Enforcement of Liens in certain Cases where Corporations have issued Bonds in Excess of the <sup>s. F. 199.</sup> Amount allowed by Law.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That, where a corporation has issued bonds in payment of an indebtedness exceeding five per centum on the value of the taxable property of such corporation for labor upon, and materials furnished in the erection and furnishing, a building and making improvements for such corporation, the holders of said bonds or any of them, including the assignees thereof, shall have a lien upon such building and furniture and fixtures therein, and upon the land of such corporation on which such building and improvements are situated to the amount of such indebtedness.

SEC. 2. Any person having a lien by virtue of this act may

Enforcement of lien. enforce the same by equitable proceedings in any district or circuit court of the county where the property is situated, at any time before the maturity of said bonds, as though the action was for the labor done and materials furnished and used in and about the erection of said building. All persons owning such bonds shall be made parties plaintiffs or defendants, and if the names of such owners are unknown they shall be made parties defendant as provided by section twenty-six hundred and twenty-two of the code. The plaintiff shall set forth and the court shall ascertain and determine the entire amount of the indebtedness on such bonds and order that the property be sold to pay such indebtedness, and the proceeds of the sale shall be paid to the court to be by it distributed pro rata among the holders of such indebtedness; but no money judgment shall be rendered against such corporation, and the clerk shall not pay the proceeds of such sale to the holders of such indebtedness until they deliver him their bonds which shall be by him canceled.

All bondholders to be made parties. Code: § 2622. Order of court. SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication in *The Iowa State Register*, and *Iowa State Journal*, newspapers published in Des Moines, Iowa.

No money judgment. Publication clause. Approved March 18th, 1874.

I hereby certify that the foregoing act was published in Des Moines in *The Daily State Journal* March 30, and in *The Daily Iowa State Register* April 2, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 24.

### SWAMP-LAND COMMISSIONER DISCONTINUED.

H. F. 379. AN ACT to Repeal Chapter 135 of the Acts of the Twelfth General Assembly.

1868: ch. 135. Office of commissioner to settle land claims with U. S. abolished. Publication clause. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That chapter 135 of the acts of the Twelfth General Assembly is hereby repealed.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in *The Daily State Register* and *The Daily State Leader*, newspapers published in Des Moines, Iowa.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published in Des Moines in *A Daily State Leader* March 30, and in *The Iowa Daily State Register* April 2, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 25.

## CITY AND TOWN LOTS.

AN ACT to Provide that Lands to be laid out into Town or City Lots, *H. F. 99.* shall be free from Incumbrance, and that the same when thus laid out shall be accurately described relative to some established Corner of the Congressional Division of which they are part. [Additional to Code, Title IV., Chapter 12 "Of Plats."]

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That whenever any person or corporation shall lay out any parcel of land into town or city lots in accordance with chapter 12, title 4 of the code, such person shall procure from the county treasurer a certified statement that the land thus laid out into lots, streets, and alleys is free from taxes, and such proprietor shall also procure a certified statement from the recorder of deeds, that the title in fee to said land is in such proprietor and that the same is free from every incumbrance; which certified statements shall both be filed with the recorder of deeds before the plat of the said town or city lots shall be admitted to record or of any validity.

SEC. 2. The record and plat of every town, city, or addition thereto which may be thus laid out, shall give the bearing and distance from some corner of a lot or block in said town or city or part thereof to some corner of the congressional division which said town or city or addition thereto is a part.

Approved March 18, 1874.

## CHAPTER 26.

## CARE OF INSANE PATIENTS.

AN ACT to Amend Section 1433 of the Code of 1873 [Title XI., Chapter *H. F. 286.* 2: "Of the Care of the Insane"].

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the words "Nor their relations" in the third line of section 1433 of the code of 1873, and the words "Or from any person legally bound for their support" in the sixth and seventh lines of said section, and all after the word "Stated" in the eleventh line of said section are hereby stricken out and said section be amended so that it shall read as follows, to-wit:

"Section 1433. The provisions herein made, for the support of the insane at public charge, shall not be construed to release the estates of such persons from liability for their support, and the auditors of the several counties, subject to direction of the board of supervisors, are authorized and empowered to collect from the property of such patients any sums paid by the county in their behalf as herein provided; and the certificate from the

*Code: § 1433 amended.*

*Relatives released from liability for care of insane patients.*

*Estate of insane patients liable for their support.*

Board of supervisors may release estates, when.

Publication clause.

superintendent and the notice from the auditor of state, stating the sums charged in such cases, shall be presumptive evidence of the correctness of the sums so stated. If the board of supervisors in the case of any insane patient, who has been supported at the expense of the county, shall deem it a hardship to charge the estate of any such patient with such cost of supporting the patient, they may relieve such estate or estates from any part or all of such burden as may seem to them reasonable and just."

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication according to law in The Daily State Register and the Daily Iowa State Leader, newspapers published at Des Moines, Iowa.

I hereby certify that the foregoing act was published, at Des Moines, in *The Iowa Daily State Leader* April 1, and in *The Daily Iowa State Register* April 3, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 27.

### SCHOOL-DISTRICT OFFICERS.

H. F. 125.

Code. §§ 1721 and 1802 repealed, and substitutes passed.

Sub-directors constitute board of directors.

Secretary and treasurer to be elected in September, and to enter upon duties within ten days thereafter.

Organization of independent districts.

AN ACT to Repeal Sections 1721 and 1802, of Chapter 9, Title XII., of the Code, [“Of the System of Common Schools,”] and to Enact Substitutes therefor.

*Be it enacted by the General Assembly of the State of Iowa:*  
SECTION 1. That sections 1721 and 1802 of chapter 9, of title 12, of the code be and the same are hereby repealed and the following enacted in lieu thereof, to-wit:

“Section 1721. The subdirectors of the several subdistricts shall constitute a board of directors for the district-township, and shall enter upon their duties upon the day fixed for the regular meeting of the board in March, at which time they shall organize by electing from their own number a president, who shall simply be entitled to a vote as a member of the board, and from the district-township at large, at their regular meeting on the third Monday of September in each year, a secretary and treasurer, unless there are at least five subdirectors in the district-township, in which case they may be selected from the board; and said secretary and treasurer thus elected shall qualify and enter upon the duties of their respective offices within ten days following the date of their election. If selected from the district-township at large, they shall have no vote in the proceedings of the board.”

“Sec. 1802. Should a majority of votes be cast in favor of such separate organization, the board of directors of the district-township shall give similar notice of a meeting of the electors for the election of six directors. Two of these directors shall hold their office until the first annual meeting after their election, and until their successors are elected and qualified, two until the second, and two until the third annual meeting thereafter, their respective

terms of office to be determined by lot. The six directors shall constitute a board of directors for the district, and they shall, at their first regular meeting in each year, elect a president from their own number, and at their meeting on the third Monday of September in each year a secretary and treasurer, to be chosen outside of the board: *Provided*, That in all independent districts having a population of less than five hundred there shall be three directors elected, who shall organize by electing a president from their own number, also a secretary and treasurer who may or may not be members of the board: *And provided further*, That in all independent districts already organized the terms of office of such directors as may have been chosen previous to the taking effect of this section for two or three years shall not be interfered with by its passage."

SEC. 2. Secretaries and treasurer[s] of school-districts elected on the third Monday of March, 1874, shall hold their offices until the third Monday of September, 1874, and until their successors are elected and qualified.

Approved March 18th, 1874.

## CHAPTER 28.

### COUNTY TAX LEVY.

AN ACT to Amend Section 796, Title VI., Chapter 1, of the Code of H. F. 263. 1873 ["Of the Assessment of Taxes"].

*Be it enacted by the General Assembly of the State of Iowa:* Code: § 796. SECTION 1. That subdivision two of section 793[6] of the Counties of code of 1873 be and the same is hereby amended by striking out not more than the word "Four" in the second line of said sub-division two of section 796 of the code of 1873, and inserting in lieu thereof the word "Six." *Provided*, That the provisions hereof shall not apply to counties having a population exceeding 14,000 inhabitants.

Approved March 18th, 1874.

## CHAPTER 29.

### REMISSION OF PENALTY AND INTEREST ON PERSONAL PROPERTY TAXES.

AN ACT to Remit the Penalty and Interest on Delinquent personal H. F. 265. Property Taxes in certain Cases.

*Be it enacted by the General Assembly of the State of Iowa:* SECTION 1. That in all cases where the county treasurer in any county in this state has neglected for the term of four years, or more, to bring forward the delinquent taxes on personal property,

Code: § 845. on the tax-books, as required in section 845, chapter 1, title VI. of Where person the code, or has for four years or more neglected to collect said al property tax by distress and sale of personal property or real estate, upon tax has not which said tax is a lien, it shall be the duty of the board of supervisors to remit all of the penalties and interest that been collected for four years, board of supervisors to may have accrued on such delinquent taxes, on the payment by remit penalties and interest. the person liable for the same of the original amount of such tax.

Publication clause. SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in The Daily State Leader and The Daily State Register, newspapers published at Des Moines.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Leader* and *The Iowa Daily State Register* April 4, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 30.

### COSTS IN PRELIMINARY EXAMINATIONS.

S. F. 21. AN ACT to Amend Section 4254, Chapter 12, of Title Twenty-five of the Code of 1873, relating to Preliminary Examinations.

Appeal from judgment tax. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 4254, chapter 12, title twenty-five of the code of 1873, be amended by striking out of line seven (7) of said section the words "Eighty-nine" and inserting in lieu thereof the words "Ninety-one," and by adding, "Otherwise the costs against prose- cutting wit- ness. Code: §§ 4254, 4689, and 4691. Costs shall be taxed against state, when." " shall be taxed against the State," to said section.

Approved March 18th, 1874.

## CHAPTER 31.

### INSPECTION OF COAL-MINES.

H. F. 278. AN ACT to Provide for the Inspection of Coal-Mines. [Substitute for Chapter 8, Title XI., Code.]

Board of supervisors may appoint in- spector, who must be prac- tically acquainted with mining. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the board of supervisors of each county, in which coal or other minerals are mined, may, at their first regular session in each year, appoint an inspector of mines, who must be practically acquainted with mining and competent to fulfill the duties of his office, who shall, before entering upon the duties of his office, take an oath for the faithful and impartial discharge thereof, and whose duty it shall be to inspect twice during each year all mines and collieries in his county, in which more than

ten miners are employed, and apply scientific tests to ascertain Duty: the condition of the atmosphere in such mines, as affecting the life and health of miners and employees; and when he shall be satisfied of the prevalence of choke-damp, (carbonic acid gas,) or fire-damps, (light carbureted hydrogen gas,) in sufficient quantities to jeopardize the life or health of such employees or miners, he shall determine the number and capacity of additional entrances or shafts, or other means necessary for the proper ventilation of such mines, and to afford egress from and ingress to such mines in case of explosion or the falling-in of the entrance or shaft to such mines. It shall farther be the duty of the inspector to examine and test all machinery used in and about the mines To test for the purpose of assisting in mining operations, and ascertain if machinery. the same is kept in good repair and is sufficient to secure the safety of those operating such machinery.

SEC. 2. It shall be lawful for the inspector appointed under May inspect the provisions of this act to enter and inspect any and all mines at any time. in his district at such times as he may see fit, and to examine all machinery used in the operation of such mines, but not so as to unnecessarily hinder or obstruct the working of such mines or machinery; and if the owner, operator, or agent of any such mine shall refuse to permit said inspector to enter and inspect such mine as may be under his control, or to examine and test any machinery connected with such mine, the inspector shall file his affidavit, setting forth such refusal, with the judge of the circuit or district court of the circuit or district in which said mine is situated, in either term-time or vacation, and obtain an order on such owner, operator, or agent, commanding him to permit said inspector to perform the duties of his office, or be adjudged guilty of contempt of court and punished accordingly.

SEC. 3. If the inspector shall find, on examination of any mine and machinery pertaining thereto, that the same is operated and worked contrary to the provisions and requirements of this act, and that the same are unsafe and dangerous to the miners and workmen employed therein, he shall at once notify, in writing, the operator, owner, or agent of such mine, stating the facts, and the necessary improvements that should be made to remove such danger; and if the owner, operator, or agent of such mine, after being notified as above provided, shall, for thirty days thereafter, neglect or refuse to provide suitable means to render such mine and machinery safe, then it shall be the duty of the inspector to proceed against such owner, operator, or agent, by injunction without bond, after giving at least three days' notice to such owner, operator, or agent, and the said owner, operator, or agent shall have the right to appear before the judge to whom the application is made, who shall hear the same and affidavits in support thereof or in opposition thereto, and if sufficient cause appear he may prohibit the further working of such mine, and machinery pertaining thereto, in which persons are unsafely employed, until the same shall have been made safe and the provisions of this act complied with; and the court shall award such costs in the matter of injunction as he may deem just.

Mode of procedure when owner refuses to allow inspection.

Inspector to notify operator of unsafe mine or machinery.

And to proceed by injunction, when.

Judge to prohibit working of unsafe mine or machinery; costs.

**SEC. 4.** The owner, operator, or agent of every coal mine or colliery, opened and operated by shaft or slope, shall provide suitable means for signaling between the bottom and top of such shaft or slope, and shall also provide safe means of hoisting and lowering persons employed at the mines, with sufficient cover overhead, on every box or carriage used for hoisting purposes, for the protection of persons so hoisted and lowered; and the top of each shaft or slope shall be securely guarded, and the entrance of every abandoned slope or air or other shaft shall be securely fenced off.

**SEC. 5.** No young person under ten years of age, or female of any age, shall be permitted to enter any mine to work therein; proof of age to be made by certificate or otherwise. The owner, operator, or agent of any mine violating the provisions of this section shall be subject to a fine of not less than ten nor more than twenty-five dollars, to be recovered for the use of the school-fund.

**SEC. 6.** Whenever an explosion or other accident shall occur at any mine, whereby loss of life or serious bodily injury is sustained, it shall be the duty of the person having charge of such mine to at once give notice to the inspector in and for the county in which the mine is situated; and, if any person is killed by such explosion or other accident, to the coroner of the county also; and the inspector, on being so notified, shall proceed to the scene of such explosion or other accident, and use such means as he may deem necessary for the safety of the men employed in such mine. He shall further investigate and ascertain, if possible, the cause of such explosion or other accident, and preserve a record thereof among the papers of his office. And in case the person in charge of any mine shall fail to give notice, as required by this section, he shall be fined not less than twenty-five dollars nor more than one hundred dollars, to be sued for in the name of the state, for the use of the school-fund, before any court having jurisdiction.

**SEC. 7.** The owner, operator, or agent of any coal mine shall provide that bore-holes shall be kept six feet in advance of the face of each and every working place, when driving toward an abandoned mine, or part of a mine, suspected to contain inflammable gases, or to be inundated with water.

**SEC. 8.** The underground manager of every mine must be a practical miner, or one acquainted with the working and management of mines.

**SEC. 9.** For any injury to persons or property occasioned by any neglect or violation of any of the provisions of this act, a right of action shall accrue to the party injured for any direct damages sustained thereby; and in case life is lost, by reason of such neglect or violation as aforesaid, the widow of the person so killed, or his lineal heirs or adopted children, or any other person or persons who were before such death dependent upon him for support, shall have a right of action for like damages for the loss of life or lives. Any miner, workman, or other person, who shall knowingly injure or destroy any water-gauge, barometer,

Precautions to be observed by operators of mines.

Who may not work in mine.

Fine.

Duty of person having charge of mine in case of explosion.

Duty of inspector.

Fine for failure to give notice.

Bore-holes.

Underground manager.

Liability for damages for persons killed or injured.

air-course, or brattice, or shall obstruct or throw open any air-ways, or carry any lighted lamps or matches into places that are worked by the light of safety-lamps, or shall disturb any part of the hoisting machinery, or open a door in the mine and neglect or refuse to have it closed again, whereby danger is produced either to the mines or to those engaged therein; or who shall enter into any mine against caution; or who shall disobey any order given in pursuance of this act; or who shall do any willful act whereby the lives and health of persons working in the mine, or the security of such mine, or the machinery thereof, is endangered, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine or imprisonment, or both, at the discretion of the court.

SEC. 10. The inspector provided for by this act shall receive three dollars per day for the time necessarily employed in the discharge of his duties, to be paid out of the county treasury; but in case[s] where, on inspection, the provisions and requirements of this act are found not to have been complied with in operating a mine, then the expense of inspecting said mine shall be paid by the owner, operator, or agent of such mine, to be recovered if necessary by suit before any court having jurisdiction.

SEC. 11. In all cases where the inspection is called for by a written request of five miners working in any mine, or by the owners thereof, it shall be his duty to proceed at once to inspect the same when the parties so applying have deposited a sufficient sum in the hands of the county clerk to defray the expense of inspecting such mine. Where the mine proves defective, it shall be at the expense of the owners of the mine; and where the inspecting shows there was no necessity for the examination, it shall be at the expense of the parties demanding the inspection.

SEC. 12. Chapter 8, title XI. of the code, and all acts or parts of acts inconsistent with this act are hereby repealed.

Approved March 18th, 1874.

## CHAPTER 32.

### JURORS' FEES TO BE TAXED AS COSTS.

AN ACT to Amend Section 3812, Chapter 3, Title XXIII. of the Code H. F. 245. in Relation to Jury Fees.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That section 3812, chapter 3, title 23 of the code be amended to read as follows:

"For every case tried in a court of record by jury, the per diem of such jury, while engaged in the trial thereof, shall be taxed as part of the costs, and shall be collected the same as other costs and paid into the county treasury by the clerk, who shall report the same to the board of supervisors at each regular session thereof, who shall

*Clerk to report.* cause the same to be charged to the treasurer; and it is hereby made the duty of the clerk of the court, where a case is tried by jury, to keep the true and correct time occupied by the jury in such case, from the time of its being impaneled to the time when it is discharged, and to tax to each case the amount of jury fees properly chargeable to it under the provisions of this section."

*Clerk to keep account of time of jury.*

Approved March 18th, 1874.

## CHAPTER 33.

### EVIDENCE OF HUSBAND AND WIFE.

**S. F. 108.** An ACT to Repeal Section 3641 of Chapter 1 of Title 22, of the Code [relating to "Evidence"] and to Enact a Substitute therefor.

*Code: § 3641. amended.* **SECTION 1.** *Be it enacted by the General Assembly of the State of Iowa,* That section three thousand six hundred and forty-one (3641), of chapter one (1), title twenty-two (22) of the code, be and the same is hereby repealed, and in lieu thereof the following is enacted as a substitute:

*When husband and wife may be witnesses against each other.* "Section 3641. Neither the husband nor wife shall in any case be a witness against the other, except in a criminal prosecution for a crime committed one against the other, or in a civil action or proceeding one against the other; but they may in all civil and criminal cases be witnesses for each other."

Approved March 18th, 1874.

## CHAPTER 34.

### ESTABLISHMENT OF PUBLIC WAYS TO MINES AND STONE QUARRIES.

**S. F. 228.** AN ACT Authorizing the Establishment of Public Ways to Lands having Stone and Mineral Thereon. [Additional to Code, Title IX. Chapter 4: relating to "Taking Private Property for Works of Internal Improvement."]

*Quarry or mine owners may have public way established.* **SECTION 1.** *Be it enacted by the General Assembly of the State of Iowa,* That any person, copartnership, joint-stock association, or corporation, owning, leasing, or possessing any lands having thereon or thereunder any coal, stone, lead, or other mineral, may have established over the land of another a public way from any stone-quarry, coal, lead, or other mine, to any railway or highway, not exceeding (except by the consent of the owner of the land to be taken) fifty feet in width. When said road shall be constructed, it shall, when passing through inclosed lands, be fenced on both sides by the person or corporations causing said road to be established.

*Same to be fenced.* **SEC. 2.** If the owner of any real estate, necessary to be taken for the purposes mentioned in this act, refuse to grant the right of way, or if such owner and the person, partnership, joint-stock

*Proceedings to condemn right of way.*

association, or corporation seeking to have such way established, cannot agree upon the compensation to be paid for the same, the sheriff of the county in which said real estate may be situated shall, upon the application of either party, appoint six disinterested freeholders of the county, not interested in a like question, who shall inspect said real estate, and assess the damage which said owner will sustain by the appropriation of said land for such public way, and make *an* report in writing to the sheriff of said county, and if the applicant for such public way shall at any time before entering upon said real estate, for the purpose of constructing such way, pay to said sheriff, for the use of said owner, the sum so assessed and returned to him, as aforesaid, said highway may be at once constru[ct]ed and maintained over and across said premises.

SEC. 3. In proceeding under this act, the application to the sheriff, the duty of commissioners, the time and manner of assessing the damages, the giving of notice thereof to residents and non-residents, the power of guardians to settle and convey, the making and returning of appraisal, the selection of talesmen, the payment of the costs of assessment, the report of the commissioners, the recording thereof, the right of appeal, the proceedings relating thereto, the result of non-user, the rights and duties as to other highways, are and shall be the same as provided in the sections of the code numbered twelve hundred and forty-five to and including twelve hundred and sixty-eight, and the provisions of all of said sections, so far as applicable, are declared to be a part of this act, except that the report of the commissioners, and record thereof, shall confer no title to the applicant for the land taken for the highway, but shall be presumptive evidence of the establishment of such way.

SEC. 4. Any owner, lessee, or possessor of lands having coal, stone, lead, or other mineral thereon, who has paid the damages assessed for highways established under this act, may construct, use, and maintain a railway on such way, for the purpose of reaching and operating any quarry or mine on such land and of transporting the products thereof to market. In the giving of the notices required by this act, the applicant shall state whether a railway is to be constructed and maintained on the way sought to be established; and if it be so stated the jury shall consider that fact in the assessment of damages.

SEC. 5. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the State Register and State Leader, newspapers published at Des Moines, Iowa.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* March 27, and in *The Iowa Daily State Register* March 28, 1874.

JOSIAH T. YOUNG, Secretary of State.

Sheriff to appoint  
appraisers.

Provisions in  
code: §§ 1245—  
1268 applied to  
this act.

No title con-  
ferred by pro-  
ceedings.

Person con-  
demning may  
establish  
railway.

To be stated  
in notice.

## CHAPTER 35.

## RELATING TO RIPARIAN OWNERS.

**S. F. 144.** AN ACT in Relation to Riparian Owners on the Mississippi and Missouri Rivers.

*Land-owners upon the Mississippi and Missouri may erect piers, cribs, booms, &c., when.* SECTION 1. *Be it enacted by the General Assembly of the State of Iowa* That all owners and lessees of lands, or lots, situate upon the Iowa banks of the Mississippi and Missouri rivers, upon which property there is now, or may hereafter be, carried on any business which is in any way connected with the navigation of said rivers, or to which the said navigation is a proper or convenient adjunct, are hereby authorized to construct and maintain, in front of their said property, piers, cribs, booms, and other proper and convenient erections and devices for the use of their respective pursuits and the protection and harbor of rafts, logs, floats, and other water-crafts: *Provided*, That the same present no material or unreasonable obstruction to the navigation of the stream, or to a similar use of adjoining property.

*Proviso not to obstruct navigation.* SEC. 2. It shall not be lawful for any person or corporation to construct or operate any railroad or other obstruction between such lots or lands and either of said rivers, or upon the shore or margin thereof, unless the injury and damage to such owners occasioned thereby shall be first ascertained and compensated in the manner provided by chapter 4, title 10 of the code.

*Code: title X., ch. 4.* Approved March 18th, 1874.

## CHAPTER 36.\*

## STOPPING OF FIRES IN CITIES AND TOWNS.

**H. F. 380.** AN ACT to make Cities and Towns responsible for the Value of Buildings destroyed for the Purpose of preventing the Spread of Conflagrations.

*Owners of property destroyed to prevent spread of fire to receive pay from city or town.* SECTION 1. That whenever, for the purpose of staying the progress of a conflagration, the authorities of any city or town, whether acting under special charter or not, shall order or cause to be destroyed any house or building not already on fire and adjoining or in the vicinity of such conflagration, the owner thereof shall be paid for such property by such city or town, *provided* he shall make his claim within thirty days from the date of the destruction of the same, and if said city or town shall fail to make payment, when such claim is made, and satisfactory proof furnished of the value of the said property so destroyed, the party owning such house or building shall have the right to recover, by

\* This bill, through some oversight, passed through all the forms of enactment without, however, an enacting clause. In this form it is here presented.

suit in any court having jurisdiction of the same, the value of such property which such city or town authorities may have caused to be destroyed to prevent the spread of such conflagration.

SEC. 2. That upon the payment of the amount to which said party is entitled, by such city or town, as provided in section 1 of this act, the party so paid, as aforesaid, shall assign and set over to said city or town all his right, title, and interest in and to any insurance policy, or any claim he may have against any insurance company, for said property so destroyed or any part thereof.

SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication in the Daily Iowa State Leader and Des Moines Journal, newspapers published in Des Moines, Iowa.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published in Des Moines, in *The Daily State Journal* April 2, and in *The Iowa Daily State Leader* April 6, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 37.

### RELATING TO PERSONS CONVICTED OF DRUNKENNESS.

AN ACT to Amend Chapter 6, Title XI. of the Code [relating to H. F. 102. Intoxicating Liquors].

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1548, chapter 6, title 11 of the code Code: § 1548 be amended by adding after the word "Obtained," in the fourteenth line, the following words, to-wit: "Provided, Such intoxicated person gives bail for his appearance before the proper magistrate, court, or jury to give testimony in any action or complaint against the party for furnishing such liquor." Intoxicated person re-vealed name of vendor of liquor to give bond for appearance to testify.

Approved March 18th, 1874.

## CHAPTER 38.

### THRESHING-MACHINES.

AN ACT to Amend Section 4064 of the Code [Title XXIV., Chapter H. F. 90. 12, concerning "Offenses against Public Policy"].

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That section 4064, of chapter 11, title 24 of the Code: § 4064 be amended by striking out all that part of said section after Repeal. the word "Section," in the seventh line, and inserting in lieu thereof the following: "And any person who shall, knowingly, permit either his own grain, or any that may be in his possession or under his control, to be threshed by a machine the rods,

Person permitting his grain to be threshed by machine not properly protected liable to fine.

"knuckles, or joints of which are not boxed in accordance with the requirements of this section, shall be liable to a like fine as that prescribed for the person running such machine, both of which fines may be recovered in an action brought before any court of competent jurisdiction."

Approved March 18th, 1874.

## CHAPTER 39.

### SUPERVISOR DISTRICTS.

S F. 31.

AN ACT to Divide Counties into Supervisor Districts. [Amendatory of Code, Title IV., Chapter 2: "Of the Board of Supervisors."]

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the board of supervisors of each county may at their regular meeting in June, A. D. 1874, divide their respective counties, by townships, into a number of Supervisor Districts corresponding to the number of supervisors in their respective counties.

Board may establish supervisor districts:

How constituted.

Entitled to one member.

Election of members from unrepresented districts.

Redistricting.

Publication clause.

SEC. 2. Such districts shall be as nearly equal in population as possible, and shall each embrace townships as nearly contiguous as practicable, each of which said districts shall be entitled to one member of such board, to be elected by the electors of said district.

SEC. 3. In case such division, or any subsequent division, shall be found to leave any district or districts without a member of such board of supervisors, then at the next ensuing general election a supervisor shall be elected by and from such district having no member of such board; and, if there be two such districts or more, then the new member or members of said board shall be elected by and from the district or districts having the greater population according to the last state census, and so on till each of such districts shall have one member of such board.

SEC. 4. Any county may be redistricted, as provided by the preceding sections of this act, once in each and every two years, and not oftener, and nothing herein contained shall be construed or have the effect to lengthen or diminish the term of office of any member of such board.

SEC. 5. This bill being deemed of immediate importance shall take effect twenty days after publication in the State Register and the State Leader, newspapers published at Des Moines, Iowa, as provided by law.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* April 1, and in *The Iowa Daily State Register* April 9, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 40.

## CORPORATIONS NOT FOR PECUNIARY PROFIT.

AN ACT to Amend Chapter 2, Title 9, of the Code of 1873, to Authorize S. F. 137 and Corporations other than those for pecuniary Profit to change their 131. Name and to amend Articles of Incorporation.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa, That title 9, chapter 2, of the code of 1873 be amended.*

amended as follows:

“Any corporation other than those for pecuniary profit may change the corporate name thereof, or amend the articles of incorporation or the original certificate thereto, by a vote of the majority of the members or stockholders of the said corporation in such manner as may be provided by the articles of incorporation thereof.

SEC. 2. “In case of the body corporate consisting of the trustees, directors, or managers of any benevolent, charitable, literary, scientific, religious, or missionary institution under the patronage of any synod, conference, association, or other ecclesiastical body in the state, or two or more of them, said amendment or change may originate with either of the said trustees, directors, or managers, or with either of the said patronizing bodies, but such change or amendment shall not be made without the vote of a majority of each of said trustees, directors, or managers, and of each of the said patronizing bodies, legally expressed and certified thereto by the secretary, clerk, or recording officer of such board of trustees, directors, or managers and of each of the patronizing bodies.

SEC. 3. “The change or amendment of the articles of incorporation shall be recorded by the recorder of deeds as the original articles of incorporation are required to be, and the recorder shall make upon the margin of such record a reference to the book and page of the record of such original articles of incorporation; and from and after the date of such act of recording such change or amendment shall be in full force and effect as the original articles of incorporation so amended.

SEC. 4. “The corporation by its new name or with such amended articles of incorporation or certificate shall be entitled to all the rights, powers, immunities, and franchises that it possessed before such change or amendment, and shall be liable upon all contracts, obligations, liabilities entered into, incurred, or binding on such corporation by or under the old name or articles of incorporation to the same extent and manner as though no such change or amendment had been made.”

Approved March 18th, 1874.

## CHAPTER 41.

## FORCIBLE ENTRY OR DETENTION OF REAL PROPERTY.

AN ACT to Amend Chapter One (1) Title Twenty-one of the Code of S. F. 22. 1873, of Justices of the Peace and their Courts, in Relation to forcible Entry and Detention of real Property.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That chapter (1) title twenty-one of the code of 1873, of justices of the peace and their courts, be amended by adding the following section as section 3623½ of said code, viz.:

“An appeal or writ of error, taken in the usual way, if the proper security is given, suspends the execution for costs, and may, with the consent of the plaintiff, prevent the warrant of removal from being executed, but not otherwise.”

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the daily Des Moines Register and State Leader, papers published at Des Moines, Iowa.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* March 30, and in *The Iowa Daily State Register* April 2, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 42.

## EXEMPTION FROM EXECUTION.

AN ACT to Amend Section 3072 of the Code of Iowa [Title XVIII., H.F. 294. Chapter 2: “Of Executions”].

*Be it enacted by the General Assembly of the State of Iowa.*

SECTION 1. That section 3072 of the code of Iowa be and the same is hereby amended by striking out the word “Thereon” Wool from in the 12th line of said section, and by inserting in lieu thereof sheep owned by debtor, and the words “Therefrom, and the materials manufactured from such “wool.” manufactures therefrom exempt.

Approved March 18th, 1874.

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## CHAPTER 43.

### APPOINTMENT OF GUARDIANS.

AN ACT to Amend Section 2315, Chapter 1 of Title 16 of the Code of S. F. 38.  
1873 [relating to Probate Jurisdiction].

SECTION 1. *Be it enacted by the General Assembly of the Code: § 2315. State of Iowa,* That section 2315, chapter (1) one, of title 16, Clerk in vaca-  
of the code of 1873 be and the same is hereby amended by appoint-  
inserting the word "Guardians," after the word "Administrators," guardians.  
in the second line of said section.

SEC. 2. This act being deemed of immediate importance, the Publication  
same shall take effect twenty days after its publication as pro-  
vided by law. clause.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published at the seat of  
government, in *The Homestead and Western Farm Journal* April 3,  
and in *The Iowa Daily State Register* April 9 1874.

JOSIAH T. YOUNG, Secretary of State.

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## CHAPTER 44.

### RELATING TO MECHANICS' LIENS.

AN ACT to Amend Section 2142 of Chapter Eight of Title Fourteen of S. F. 283.  
the Code allowing Assignments of Mechanics' Liens.

SECTION 1. *Be it enacted by the General Assembly of the Enforcement, State of Iowa,* That section 2142 of chapter eight, of title four-  
teen, of the code, be and is hereby amended to read as follows:

"Any person having a lien by virtue of this chapter may bring Lien trans-  
suit to enforce the same in the district or circuit court of the county wherein the property is situated, and the lien herein given shall be transferable and assignable, but when for labor alone shall be exempt from execution."

SEC. 2. This act being considered of importance shall take Publication  
effect and be in force from and after its publication in *The Daily State Register* and *The Daily State Leader*. clause.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published in *The Iowa Daily State Leader* March 30, and in *The Iowa Daily State Register* April 2, 1874.  
JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 45.

## EXEMPTION FOR HEDGES, SHADE-TREES, ETC.

H. F. 221. AN ACT to Amend Section 799, Chapter 1, Title 6 of the Code [relating to the Assessment of Taxes].

Code: § 799. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 799, of chapter 1, of title 6, of the code of Iowa be amended as follows: Strike out all of said section, and insert in lieu thereof the following:

Board of  
supervisors  
may make  
exemption for  
forest, shade,  
and fruit  
trees, and  
hedges.  
Proportionate  
exemption.

Board may  
adopt regula-  
tions as to  
same.

Limit of  
exemption.

Claimant to  
satisfy board.

"Sec. 799. The board of supervisors may exempt from taxation for any one year, except for state purposes, an amount not exceeding five hundred dollars for each acre of forest-trees, less than three years old, planted and suitably cultivated for timber, or for each mile of hedge, or for each acre of shade-trees, along the public highway, or for each acre of fruit-trees not more than three years old; and also a proportionate exemption for each one-fourth mile of hedge or one-fourth mile of shade-trees along the public highway. Such board, before granting any of the exemptions contemplated in this section, shall establish rules as to the method of planting and cultivating such hedges and trees, and the number of the same to the mile or acre, and persons claiming such exemption shall bring satisfactory proof that such rules have been complied with. But no person shall have any personal property nor more than one half his real estate exempted under this and the foregoing section, nor shall there be any exemption on account of nursery trees grown for sale. Any person claiming such exemption, may appear before the board of supervisors at any regular meeting, and, upon showing to the satisfaction of said board that he has complied with the requirements, shall receive from the county auditor a certificate, stating the amount of exemption, which shall be received by the county treasurer in satisfaction of the taxes exempted."

Approved March 18th, 1874.

## CHAPTER 46.

## TAX-SALES IN LEE COUNTY.

S. F. 71. AN ACT to Amend Chapter 2, Title 6, of the Code in Relation to Tax-Sales and Redemption of Property in Counties having two County-Seats.

Code: title  
vi., ch. 2.  
Sales to be at  
place where  
taxes are  
collectable.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in counties divided into two districts for the collection of taxes, and where there are two county-seats, the sales of lands and property for delinquent taxes, in each collection district, shall be sold at the county-seat, or place where

the taxes for each district are collected, and the deputy treasurer <sup>Recorder or</sup> and the recorder or his deputy, at such county-seat or place, shall <sup>deputy to</sup> attend sale be authorized, and are hereby declared authorized and empowered, <sup>with deputy</sup> <sup>treasurer.</sup> to do and perform all the duties required of the treasurer and auditor of such county.

SEC. 2. The records of such sales, and all matters and things <sup>Record, where</sup> pertaining to the same, shall be kept by, and in the office of, the <sup>kept.</sup> deputy treasurer and the recorder, or his deputy, as is required to be kept by the treasurer and auditor.

SEC. 3. All property sold under the provisions of this act shall be redeemed of the recorder or his deputy, and the certificate of <sup>Property sold to be redeem-</sup> <sup>ed of the re-</sup> redemption so issued shall be countersigned by the deputy treasurer <sup>deputy.</sup> and the deputy treasurer and recorder or his deputy shall be <sup>deputy.</sup> authorized and empowered to do and perform all the duties in re- <sup>Powers of dep-</sup> <sup>uty treasurer</sup> lation to such redemption as *is* [are] required of the treasurer and <sup>and the</sup> recorder. <sup>recorder.</sup> auditor of the county.

SEC. 4. At the expiration of the time for redemption, as required by sections 890, 891, 892, 893, 894, 895, chapter 2, title VI., <sup>Deputy treas-</sup> <sup>urer to exe-</sup> of the code, the deputy treasurer is hereby authorized to make, execute, acknowledge, and deliver good and sufficient deeds to the purchaser or holder of the sale-certificate, and to do and perform all other acts and duties required by law of the treasurer of the county in regard to the same.

SEC. 5. This act shall be in force and take effect from and after <sup>Publication</sup> its publication as prescribed by law. <sup>clause.</sup>

Approved March 18th, 1874.

I hereby certify that the foregoing act was published at the seat of government, in *The Iowa Daily State Register* March 28, and in *The Homestead and Western Farm Journal* April 10, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 47.

### RAILWAYS CROSSING HIGHWAYS.

AN ACT to Amend Chapter Four (4) of Title X. of the Code, on "taking S. F. 41. " Private Property for works of Internal Improvement."

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That section 1262, of chapter 4, of the code be amended so as to read as follows:

"Any such corporation may raise or lower any turnpike, plank-road, or other highway, for the purpose of having its railway <sup>Right and</sup> <sup>duty of rail-</sup> cross over or under the same; and in such cases said corporation <sup>way corpora-</sup> shall put such highway, as soon as may be, in as good repair and <sup>tions.</sup> condition as before such alteration at such place of crossing."

SEC. 2. This bill being of immediate importance shall take

Publication clause. effect and be in force thirty days after its publication in the Iowa State Register and the Des Moines Leader, according to law.  
Approved March 18th, 1874.

I hereby certify that the foregoing act was published in *The Iowa Daily State Leader* March 27, and in *The Iowa Daily State Register* March 28, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 48.

### TRANSPORTATION FOR DISCHARGED CONVICTS.

S. F. 78. AN ACT to amend Section 4779, chapter 2, title 26, of the code [“Of the “Penitentiary of the State and the Government and Discipline “thereof”].

Code: § 4779.  
May be furnished beyond the state.

Publication clause.

*Be it enacted by the General Assembly of the State of Iowa:*  
SECTION 1. That section 4779 of chapter 2 of title 26 of the code be amended by inserting after the words “Friends,” in the 4th line, the following, “Or may furnish such transportation to “any point of a like distance without the state.”

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in *The Iowa Daily State Register* and *Daily State Leader*.

I hereby certify that the foregoing act was published in *Des Moines* in *The Iowa Daily State Leader* March 30, and in *The Iowa Daily State Register* April 2, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 49.

### RELATING TO MECHANICS' LIENS.

S. F. 224. AN ACT to Amend Sections 2131, 2133, 2134, and [Title XIV., Chapter 8], relating to Mechanics' Liens.

Code: § 2131.

Persons contracting with subcontractor to be entitled to lien.

*Be it enacted by the General Assembly of the State of Iowa:*  
SECTION 1. That section 2131 of the code be and the same is hereby amended by adding at the end thereof the following:

“And every person or laborer furnishing material or performing labor by virtue of a contract with any sub-contractor, wishing to avail himself of the benefit of this chapter, shall give notice to the owner and contractor or their respective agents or trustees, before or at the time he furnishes any of the things aforesaid or performs any labor, of his intention to furnish or perform the same, and the probable value thereof; and if afterwards the things are furnished a [or] labor done, the person so furnishing material or performing labor shall settle

with the sub-contractor therefore, and the settlement in writing, signed by the sub-contractor and certified by him to be just, shall be given to the owner and contractor or their respective agents, or trustees; within thirty days from the time the things shall have been furnished or labor performed, said person *a* [or] labor[er] furnishing material *a* [or] performing labor, as aforesaid, shall file ~~filling~~ with the clerk of the district court of the county in which the building, erection, or other improvement for which the things are furnished, or the labor performed, is situated, a copy of such settlement, which shall be a lien on the building, erection, or other improvement for which the things are furnished, or labor performed; and shall at the time file a correct description of the property to be charged with the lien, the correctness of all which shall be verified by affidavit.

SEC. 2. That section 2133 of the code be amended by inserting § 2133. after the word "Sub-contractor," in the first line thereof, the words, "Or person furnishing material, machinery, or fixtures, or performing labor by virtue of a contract with a sub-contractor," and insert[ing] after the word "Contractor," in the seventh line, the word "Sub-contractor," and after the word "Contractor," in the 11th line, add[ing] "Or sub-contractor, as the case may be."

SEC. 3. That section 2134 be and the same is hereby amended § 2134. by inserting after the word "Contractor," in the first line, "Or sub-contractor," and after the word "Sub-contractor," in the second line, "Or person furnishing material, or performing labor," and after the word "Trustee," in the fourth line, "And contract- "or.

SEC. 4. That section 2135 be amended by inserting after the word "Sub-contractor," in the second line, the words, "Or person furnishing material, *a* [or] performing labor," and after the word "Sub-contractor," [in the fourth line,] the following, "Or person furnishing material, or performing labor," and after the word "Sub-contractor," in the fifth line, the words, "Or of the sub-contractor to the person furnishing material *a* [or] performing labor."

SEC. 5. This act being deemed of immediate importance shall take effect from and after its publication in The Iowa State Register, and Iowa State Leader, newspapers published in Des Moines, Iowa.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* April 6, and in *The Iowa Daily State Register* April 7, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 50.

## CARE AND PROPAGATION OF FISH.

H. F. 222.

AN ACT to Provide for the Appointment of a Board of Fish Commissioners for the Construction of Fish-ways, for the Protection and Propagation of Fish, and to Repeal Sections 4052 and 4053, and to Amend Section 4054 [Code, Title XXIV., Chapter 2, relating to Offenses against Public Policy].

*State fish commissioners appointed by governor.*

*Vacancy.*

*Duties.*

*To examine methods of securing passage of fish up dams, and to report to general assembly.*

*Fish-ways Stocking streams.*

*Pay \$200 each per annum.*

*To enforce this act.*

*District-attorney.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Iowa,* That the governor of the state is hereby authorized and required to appoint three competent persons who shall be known as the State Fish Commissioners, who shall hold their positions for the period of two years, and any vacancies occurring in said commission by death, resignation, or otherwise, shall, for the unexpired term be filled by the appointment and commission of the governor. The general duties of the said commissioners, in addition to other duties prescribed by this act, shall be to forward the restoration of fish to the rivers and waters of this state, and to stock the same with fish as they may be supplied with means for that purpose by the United States fish commissioners and by societies and individuals interested in the propagation of fish in the waters of the state.

**SEC. 2.** It shall also be the duty of the fish commissioners to make an examination of the various improved fish-ladders, fish-ways, and of the methods necessary to be used to secure the passage of migratory fish up through or over the dams now constructed in the state, and to report to the next general assembly, through the governor, the cost of construction of the various improved methods with the applicability thereof to the streams of the state, with such other information as in their judgment may be proper, with the cause or causes of the decrease of fish in the streams of the state, and the means that must be used to secure fish in abundance therein; and to report also what arrangements it will be necessary to make with the owners of mill-dams now constructed to secure the construction of fish-ways in such dams without doing injustice to the owners of such dams and to report generally such facts in connection with the construction of fish-ways and the stocking of the streams of the state with fish as in their opinion may be needed for the information of the general assembly.

**SEC. 3.** Said fish commissioners shall receive in full compensation for their services, two hundred dollars each per year, and no more, which salary shall be paid out of the state treasury from any money therein not otherwise appropriated.

**SEC. 4.** It shall also be the duty of said fish commissioners to see that the provisions of this act are enforced, and for that purpose they shall have the right to call to their assistance any prosecuting attorney, to prosecute all violations of this act in the judicial district, where such violation occurs.

**SEC. 5.** It shall be the duty of any person or persons, or cor-

porations, hereafter erecting or constructing any dam in any of the rivers within the state, or their tributaries accessible to migratory fishes, to put in or upon the same, fish-ways, under the direction and approval of said fish commissioners, without which every such dam shall be deemed a public nuisance, and liable to be abated upon the information of any one complaining; and the person or persons constructing a dam, in violation of this section, shall be liable to a fine of ten dollars for each day such dam shall be continued without a fish-way, such as shall be required by the commissioners under this act.

SEC. 6. No person shall place, erect, or cause to be placed or erected across any of the rivers, creeks, ponds, or lakes, within the state, any dam, seine, net, weir, fish-dam, or other obstruction in such manner as shall hinder or obstruct the free passage of fish up or down through such water or water-courses; and from and after the passage of this act it shall be unlawful for any person to use any seine or net for the purpose of catching fish, except minnows, in any of the waters of the state, the meshes of which seine are less than two inches, and no person shall be permitted to seine any fish except during the months of July, August, and September, except minnows.

SEC. 7. Any person found guilty of the violation of the provisions of section six of this act shall on conviction before a justice of the peace of the township in which he resides, or where the offense be committed if arrested therein, be fined not less than ten nor more than fifty dollars for the first offense, and for the second or any subsequent offense not less than twenty dollars, and shall stand committed till such fine be paid.

SEC. 8. No person shall place in any of the waters of the state any lime, ashes, drug, or medicated bait, with intent thereby to injure, poison, or catch fish. Any person violating the provisions of this section shall be punished as provided in section seven of this act.

SEC. 9. It shall not be lawful to fish with nets or any other method of entrapping fish, except with hook and line, or spear, in the ordinary manner of fishing, within half a mile of any dam in which there is or may be constructed a fish-way, for the purpose of the passage of fish up and down any stream in the state. Any person found guilty of the violation of the provisions of this section shall, on conviction, be fined as provided in section seven of this act.

SEC. 10. Sections 4052, 4053, and all after the word "dollars" in the eighth line of section 4054, are hereby repealed.

SEC. 11. This act being deemed of immediate importance shall take effect and be in force from and after its publication, according to law, in *The Daily State Register*, and *The Daily Iowa State Leader*, newspapers published at Des Moines, Iowa.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Leader* March 27, and in *The Iowa Daily State Register* March 31, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 51.

## RELATING TO THE IMPROVEMENT OF ALLEYS.

## S. F. 129. AN ACT to Authorize Cities and Towns to provide for the Improvement of Alleys.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Iowa,* That the city council or trustees of any incorporated city or town, organized under special charter or under the provisions of the general incorporation laws of the state, are hereby authorized and empowered to provide by ordinance for the improvement of alleys (in said city or town) by grading the same,

**Assessment of expenses.** and for the assessment of the expenses thereof, upon the owners of lots or parcel of land abutting on said alley, pro rata according to the front feet of said lots or parcel of land: *Provided,*

**Proviso: petition.** That such ordinance shall not be adopted except after the presentation to said council of a written petition for the improvement of such alley, signed by a number of the owners of property so to be assessed therefor equal to a majority of the owners of such property.

**SEC. 2.** It shall be the duty of such city council or trustees to require the work of grading such alley to be done under contract by ~~contract~~ therefor, to be entered into with the lowest responsible bidder: *Provided,* That all bids for such work may be rejected by such council or trustees, if by them deemed to be exorbitant, and new bids ordered.

**Assessments a lien.** SEC. 3. All assessments for the grading of alleys under this act shall be a lien upon the lots and lands assessed, and shall bear the same rate of interest, and the said property assessed may be sold for payment thereof in the same manner, at any regular or adjourned sale, with the same forfeiture, penalties, and rights of redemption, and certificates and deeds on such sales shall be made in the same manner and with like effect, as in cases of sales for nonpayment of the annual taxes of such cities or towns respectively, as now or hereafter provided by law in respect thereto.

**Sale.** SEC. 4. Such city council or trustees may provide by ordinance for the particular mode of making and returning the assessment hereinbefore authorized, and payment of such assessments may, if so directed by said council or trustees, be enforced in the manner and by the proceedings provided for by sections 478, 479, and 481 of the code.

**Mode of assessment.** SEC. 5. That so much of section 465, chapter 10, title IV., as requires the expense of the grading of alleys to be paid out of the general funds of any incorporated city or town, be and the same are hereby repealed.

**Code: §§ 478, 479, and 481.** SEC. 6. This act being deemed of immediate importance shall take effect from and after its publication in the Des Moines Reg-

**Code: §§ 478, 479, and 481.**  
§ 465  
Costs not to be paid out of general funds of corporation.

ister and State Leader, newspapers published in Des Moines, Publication clause.  
Iowa.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published, in Des Moines, in *The Iowa Daily State Leader* March 27, and in *The Iowa Daily State Register* March 28, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 52.

### CENSUS OF CITIES AND TOWNS.

AN ACT to Amend Section 509 of the Code of 1873 [Title IV., S. F. 125. Chapter 10: "Of Cities and Incorporated Towns"].

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 509 of the code be amended as follows: Add after the word "census," at the end of the 2d line, Census for classification of cities and towns. the following: "Taken by authority of the state, on [or] any town or city council."

SEC. 2. This act being deemed of immediate importance shall take effect after being published in *The State Journal*, a newspaper published in Des Moines, and the *Chariton Leader*, a newspaper published in Chariton, without expense to the state.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published in *The Daily State Journal*, at Des Moines, March 30, 1874.\*

JOSIAH T. YOUNG, Secretary of State.



## CHAPTER 53.

### IN RELATION TO THE HOSPITAL FOR THE INSANE.

AN ACT to Amend sections 1386, 1392, 1436, and 1438, of Chapter Two, S. F. 230. Title Eleven, of the Code [relating to the Care of the Insane].

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1386, of chapter two, of title eleven, of the code, be amended by inserting in the seventh line, after the word "superintendent," the words "And upon the nomination of the superintendent shall appoint." Also amend section 1392, of the same chapter and title, by inserting after the word "trustees," in the first line, the words, "And superintendent."

SEC. 2. That section 1436 be amended by striking out the fourth, fifth, sixth, seventh, and the word "addressed" in the eighth line of said section, and the following words be inserted in

\*See Appendix.

Patients allowed to write to committee. § 1438.

Letters to be sent to visiting committee.

Letters from committee to be delivered; others superintendent may withhold.

Publication clause.

lieu thereof, "Once a week, what he or she pleases to this committee." Also amend section 1438, of said chapter and title, by inserting after the word "week," in the third line, the words, "Addressed to one of the visiting committee and." Also strike out all of the section after the word "thereto," in the sixth line, and add the following: "And to deliver to said person any letter (without opening or reading the same) written to him or her by one of the visiting committee. But all other letters written by, or to, the person so confined may be examined by the superintendent, and, if in his opinion the delivery of such letters would be injurious to the person so confined, he may retain the same."

SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication in *The Daily State Register* and *Daily State Leader*, newspapers published in Des Moines, Iowa.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* March 27, and in *The Iowa Daily State Register* March 28, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 54.

### RESURVEY OF TOWN-PLATS.

S. F. 191.

Where any town plat is lost, same may be resurveyed.

Record.

Proviso: consent of original owner.

Duty of county surveyor.

AN ACT to Authorize the Resurvey and Platting of City or Town Plats, or Additions Thereto, in Cases where the Original Plats have been lost and not acknowledged or recorded.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in all cases where the original town-plat of any city, town, or village of this state, or any of the additions to any such city, town, or village, shall have been heretofore or may hereafter be lost, mislaid, or destroyed after the sale and conveyance of any subdivision, block, or lot thereof, by the original owner or proprietor, to any person or persons, before the same shall have been recorded, it shall be lawful for any three persons interested in such city, town, village, or addition thereto, to have such original city, town, village, or addition to any such city, town, or village resurveyed and replatted, and such plat made a matter of record, as hereinafter set forth: *Provided*, That in no case shall such replat be made a matter of record without the consent in writing, indorsed thereon, of the original owner or proprietor of such city, town, village, or addition thereto, if he be alive and his residence known to those who desire such replat recorded.

SEC. 2. The county surveyor of any county of this state in which is situate any such city, town, village, or addition thereto as contemplated in section one of this act, is hereby authorized, empowered, and, upon payment to him of his legal fees by the per-

sons interested, required to resurvey any such city, town, village, or addition thereto, and shall make out a plat of such city, town, village, or addition so resurveyed, which plat shall in all respects, as near as possible, conform to the original lines of said city, town, village, or any addition thereto, that may be resurveyed, and it shall in all respects be made out as required by section 559 Code: 559. of the code. And in order to the perfect completion of such resurvey and plat, the said surveyor is empowered and authorized to subpœna witnesses, administer oaths, and to take evidence Subpoena witnesses and touching said original plat, lines, subdivisions of said city, town, and village, or addition thereto sought to be surveyed and replatted; evidence. also as to whether the original proprietor be dead or living, and touching all things necessary to enable him to accurately establish the lines and boundaries of the said city, town, village, or addition thereto, and the various subdivisions thereof: *Provided*, Proviso: notice to be given. That in all cases, before any such resurvey shall be made, the county surveyor of the proper county shall give four weeks' notice of in some newspaper published in the county, if there be any, of such contemplated resurvey, and, in case there is no such paper published in the county, then by posting up four written notices in four of the most public places in the county, one of which shall be in said district proposed to be resurveyed.

SEC. 3. When the surveyor shall have completed said plat, as Surveyor to hereinbefore contemplated, he shall attach his certificate thereto, certify to plat. to the effect that said plat is a just, true, and accurate plat of said city, town, village, or addition so surveyed by him; and the said plat and certificate thereto shall be filed for record in the office of Plat to be filed with the recorder of deeds of the proper county, and from the date of county recorder. such filing it shall be regarded and treated, in all courts of law and equity in this state, as though the same had been made by the original owners or proprietors of said lands so resurveyed and replatted: *Provided*, That any person or persons deeming themselves aggrieved by said resurvey or replatting may at any time, Effect of filing. provision within six months from the date of filing said plat for record, for persons aggrieved. commence action by bill in chancery in the circuit or district court against the persons employing the surveyor as aforesaid Bill in chancery. and setting up their causes of complaint, and asking that said record be canceled.

SEC. 4. If it shall appear on the trial of said cause that the said city, town, village, or addition thereto was originally laid out and platted, that the original owner or proprietor had sold any or all of the lots of such city, town, village, or addition, or that he intended to dedicate to the public the streets, alleys, or public squ[<sup>a</sup>]res of such city, town, village, or addition, that the plat thereof had never been recorded, but was lost or mislaid, that the owner or proprietor is dead, or his residence unknown, and that the resurvey and replat so filed for record is a substantially accurate survey and plat of the original plat of such city, town, village, or addition thereto, then the said bill shall be dismissed at the costs of the complainants; otherwise the court shall set aside said replat and cancel the same of record at the costs of defendants. Dismissal of bill. Cancellation of plat.

Approved March 19th, 1874.

## CHAPTER 55.

## FOREIGN MUTUAL HAIL INSURANCE COMPANIES.

**S. F. 200.** AN ACT to Amend Section 1144, of Chapter 4 of Title IX., of the Code [relating to Insurance Companies].

**Code: § 1144.** SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That section 1144, of chapter 4 of title 9, of the code be amended by adding after the word "therein" in the 9th line of said section, "Provided, That the foregoing provisions of this section shall not apply to foreign mutual hail insurance company[ies] issuing policies for a term of one year or less."

**Capital not required.** SEC. 2. This act being considered and deemed of immediate importance shall take effect and be in force from and after its publication in The Iowa Daily State Register and The Iowa Daily State Leader.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published in *The Iowa Daily State Leader* April 22, and in *The Iowa Daily State Register* April 23, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 56.

## IN RELATION TO APPEALS TO THE SUPREME COURT.

**S. F. 188.** AN ACT to Amend Sections 3181 and 3182 of the Code of 1873 [Title XIX., Chapter 2: "Of Appellate Proceedings in the Supreme Court"].

**Appeal not to be dismissed or judgment confirmed, when.** SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That no appeal to the supreme court of the state shall be dismissed or judgment of court below affirmed because the said cause was not docketed or transcript filed in supreme court, if it be made to appear that an appeal was taken in good faith and not for delay, or if, from the conduct of appellee or his counsel, appellant was induced to believe no motion to dismiss or affirm would be made.

**Publication clause.** SEC. 2. This act being deemed of immediate importance shall go into force after being published in The Iowa State Register and The Iowa State Leader, two newspapers published in Des Moines, Iowa.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published, at Des Moines, in *The Iowa Daily State Register* and *The Iowa Daily State Leader* April 4, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 57.

## IN RELATION TO NORMAL INSTITUTES.

AN ACT to Provide for holding Teachers' Normal Institutes. [Amenda- S. F. 119.  
tory of Code, Title XII, Chapter 9: "Of the System of Common  
"Schools."]

SEC. 1. *Be it enacted by the General Assembly of the State Code: § 1769.* of Iowa, That section 1769, code, is hereby amended to read as follows:

"The county superintendent shall hold annually a normal institute for the instruction of teachers and those who may desire to teach, and with the concurrence of the superintendent of public instruction procure such assistance as may be necessary to conduct the same, at such time as the schools in the county are generally closed. To defray the expenses of said institute, he shall require the payment of a fee of one dollar for each certificate issued, also the payment of one dollar registration fee for each person attending the normal institute.

SEC. 2. "He shall monthly, and at the close of each institute, transmit to the county treasurer all moneys so received, including the state appropriation for institutes, to be designated the 'institute fund,' together with a report of the name of each person so contributing, and the amount. The board of supervisors may appropriate such additional sum as may by them be deemed necessary for the further support of such institute. All disbursements of the institute fund shall be upon the order of the county superintendent; and no order shall be drawn except for bills presented to the county superintendent and approved by him for services rendered, or expenses incurred, in connection with the normal institute."

SEC. 3. This act, being deemed of immediate importance, shall be in force and take effect immediately after its publication in *The Daily State Register and State Leader*, newspapers published at Des Moines.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Register* and *The Iowa Daily State Leader* April 1, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 58.

## COMPENSATION OF THE STATE PRINTER AND THE STATE BINDER.

H. F. 19. AN ACT to Fix the Compensation of State Printer and State Binder. [Amendatory of Code, Title XXIII., Chapter 1, relating to the Compensation of State and District Officers.]

Code: § 3764. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 3764, chapter 1, title 23, of the code, is hereby amended as follows: Strike out the two first lines, and insert these words: "The state printer shall be paid "ninety per cent. of the following prices for all work done for the "state, and no more."

§ 3767. Pay of binder reduced fifteen per cent. Proviso: not to affect incumbents. SEC. 2. Section 3767 of the code is hereby amended by inserting after the word "paid," in the first line, the words "Eighty-five per cent. of": *Provided*, That nothing in this act shall be so construed as will in any manner affect the compensation of the present state printer and binder during the unexpired term of their office.

Approved March 21st, 1874.

## CHAPTER 59.

## MINORS IN BILLIARD SALOONS, ETC.

S. F. 121. AN ACT to Prohibit the Encouragement of Minors to remain in Certain Buildings. [Additional to Code, Title XXIV., Chapter 12, relating to Offenses Against Public Policy.]

Minors not to be allowed to remain in billiard-rooms, &c. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*: It shall be unlawful for any person who keeps a billiard-hall, beer-saloon, or nine or ten pin alley, or the agent, clerk, or servant of any such person, or any person having charge or control of any such hall, saloon, or alley, to permit any minor or minors to remain in such hall, saloon, or alley, or to take part in any of the games known as billiards, nine or ten pins.

Penalty for violation. SEC. 2. For a violation of the provisions of the foregoing section the offender shall, on conviction thereof, be punished by a fine not less than five dollars nor exceeding one hundred dollars, or imprisonment in the county jail not exceeding thirty days.

Approved March 21st, 1874.

## CHAPTER 60.

## IN RELATION TO SAVINGS BANKS.

AN ACT to Provide for the Organization and Management of Savings S. F. 48.  
Banks.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That corporations to be known as savings banks may be formed, under and in accordance with the provisions of this act, for the purpose of receiving on deposit the savings and funds of others, and preserving and safely investing the same, and paying interest or dividends thereon; and such corporations, and the stockholders thereof, shall be subject to all the conditions and liabilities herein imposed; and hereafter no association shall be formed under the general incorporation acts for the purpose of transacting such banking business; and all corporations now organized thereunder and doing business as savings banks, shall, on or before the 1st day of July, A. D. 1875, conform to and reorganize under the provisions of this act, as hereinafter provided, and any failure or neglect of the proper officers of such associations to comply with the provisions of this act, shall be regarded as a forfeiture of all rights and privileges of such associations.

SEC. 2. It shall be lawful for any number of persons, not less than five, to organize savings banks under the provisions of this act, with a paid-up capital stock of not less than ten thousand dollars in cities and towns of ten thousand inhabitants, or under; and a paid-up capital stock of not less than fifty thousand dollars in cities of over ten thousand inhabitants; which said corporations shall be known as savings banks, and shall have power to transact the usual business of such institutions, but not to issue bank-notes to circulate as money, but no such association shall have the right to commence business until its officers elect, or its shareholders, shall have furnished to the auditor of state a sworn statement of the paid-up capital, and, when the auditor of state is satisfied as to the fact, he shall issue to such association a certificate authorizing it to commence business, a copy of which shall be published in some newspaper printed in the county where such association is located, for four consecutive weeks, at the expense of such association. If the auditor of state should deem it necessary before issuing a certificate, he may make a personal examination of capital stock, or cause one to be made by some competent person appointed by him, the expense of which shall be paid by the association.

SEC. 3. Any five or more persons of full age, a majority of whom shall be citizens of this state, who may desire to form an incorporated company for the purposes hereinbefore specified, shall make, sign, and acknowledge, before some officer competent to take acknowledgments of deeds, and file in the office of the recorder of the county wherein the principal place of business of

What shall be stated in articles.

Notice.

Certified copy evidence.

Enumeration of powers.

Management

the company is intended to be located, and a certified copy thereof in the office of the secretary of state, articles of incorporation, in which shall be stated, the corporate name of the corporation; the object for which the corporation shall be formed; the amount of its capital stock; the time of its existence not to exceed fifty years; the number of its directors or trustees, and their names, who shall manage the affairs of the association for the first year; and the name of the city, or town, and county in which the principal place of business of the company is to be located; and a notice must be published in some newspaper published in the county wherein said bank is located for four consecutive weeks, stating the substance of the above requirements.

SEC. 4. A copy of any articles of incorporation, filed in pursuance of this act and certified to by the recorder of the county in which it is filed, or by the secretary of state, shall be received in all courts, and in all actions and proceedings, as presumptive evidence of the facts therein stated.

SEC. 5. When the certificate of the auditor shall have been received, and the articles of incorporation shall have been filed and recorded, and publication shall have been made as hereinbefore provided, the persons who shall have signed and acknowledged the same, and such persons as thereafter become their associates, or successors, shall be a body politic and corporate, and by their corporate name shall have succession for the period limited, and power:

First. To sue and be sued in any court.

Second. To make and use a common seal, and to alter the same at pleasure.

Third. To purchase, hold, sell, convey, and release from trust or mortgage, such real and personal estate as hereinafter provided for in this act.

Fourth. To appoint such officers, agents, and servants, as the business of the corporation shall require, to define their powers, prescribe their duties, and fix their compensation, and to require of them such security as may be thought proper for the fulfillment of their duties.

Fifth. To loan and invest the funds of the corporation; to receive deposits of money, and to loan and invest the same as hereinafter provided, and to repay such deposits without interest, or with such interest as the by-laws of the constitution may provide.

Sixth. To make by-laws, not inconsistent with the laws of this state, for the organization of the company, and the management of its property, the regulation of its affairs, the condition on which deposits will be received, the time and manner of dividing the profits and of paying interest on deposits, and for carrying on all kinds of business within the objects and purposes of the company.

SEC. 6. The business and property of such savings banks shall be managed by a board of directors or trustees, of no less than five nor more than nine, all of whom shall be shareholders and citizens of this state, the first board to be designated in the arti-

cles of incorporation ; *and* who shall organize by taking an oath, <sup>Directors or trustees to take oath.</sup> diligently, faithfully, and impartially to perform the duties imposed upon them by this act, and not knowingly to violate, or willingly to permit to be violated, any of the provisions thereof; that said directors or trustees are the bona fide owners in their own right of the stock standing in their respective names on the books of the bank; and that the same are not hypothecated, or in any manner pledged as security for any loan obtained, or debt owing to said savings bank; a certificate of which oath, signed by each director, and certified to by the officers before whom it was taken, shall be filed and preserved in the office of the auditor of state. <sup>Oath to be filed with auditor of state.</sup> The call for the first meeting of directors or trustees shall be signed by one or more persons named as directors or trustees in the certificate, setting forth the time and place of meeting, which notice shall be delivered personally to each director, or published at least ten days in some newspaper published in the county in which is the principal place of business of the corporation, or, if no newspaper is published in the county, then in a newspaper nearest thereto. At their first meeting, and as often thereafter as their by-laws shall require, the directors or trustees shall elect, from their number, a president and one or more vice presidents <sup>Officers.</sup> for the ensuing year; and shall appoint a treasurer or cashier, and such other subordinate officers, agents, and servants as may be required, who shall hold their offices at the pleasure of the board, and who shall give such security for the faithful performance of their duties as may be required by the by-laws. All vacancies in <sup>Vacancies in board.</sup> the board of directors or trustees shall be filled, at the next regular meeting after such vacancy shall arise, from among the stockholders, and the person receiving a majority of the votes of the whole number of directors or trustees shall be duly elected. The directors or trustees, to hold office after the expiration of the term <sup>Annual elections.</sup> of those named in the certificate of incorporation, shall be annually elected at such time and place, and in such mode, and upon such notice as shall be provided by the by-laws of the company, and shall hold office for one year, or until their successors are elected and qualified. All such elections shall be by ballot, and each stockholder shall be entitled to one vote for every share of stock held by him, and the persons so receiving the greater number of votes, shall be directors *of* [or] trustees. Shareholders may vote <sup>Right to vote.</sup> by proxy duly authorized, and no shareholder shall be entitled to vote whose liability to said bank is past due and unpaid. If it <sup>Deferred election.</sup> should happen at any time that an election of directors or trustees shall not be had on the day designated in the by-laws of the company, it shall be lawful on any other day to hold such election, after giving due notice, and the directors or trustees shall be continued in office until their successors are elected and qualified. A majority of the directors or trustees shall constitute a <sup>Quorum.</sup> quorum of said board for the transaction of business, but said bank may provide in the by-laws that a smaller number, not less than five, one of whom shall be the president *and* [or] vice president, shall constitute a quorum, which number shall thereupon be authorized to transact business.

**Deposits.** SEC. 7. All savings banks organized under this act may receive, on deposit, all such sums of money as shall from time to time be offered by tradesmen, merchants, laborers, servants, minors, and others. All such banks with a paid-up capital of ten thousand dollars may receive deposits to the amount of one hundred thousand dollars; those with a paid-up capital of twenty-five thousand dollars may receive deposits to the amount of two hundred and fifty thousand dollars; those with a paid-up capital of fifty thousand dollars, deposits to the amount of five hundred thousand; those with a paid-up capital of one hundred thousand dollars, deposits to the amount of one million dollars; and no greater amount of deposits shall be received without a like proportionate increase of cash capital, *and* which capital shall be regarded a guaranty fund for the better security of depositors, and so invested in some safe and available securities.

**Repayment of deposits.** The deposits so received for the purpose of safe keeping, and invested as provided in this act, shall be paid to such depositor or his or her representatives when requested at such time or times, and with such interest, and under such regulations as the board of directors or trustees shall from time to time prescribe, not inconsistent with the provisions of this act, which regulations shall be printed and conspicuously exposed in some place, accessible and visible to all, in the business office of said bank, and no alteration, which may at any time be made in such rules or regulations, shall in any manner affect the rights of depositors in respect to deposits, or the interest thereon, made previous to such alteration. It shall be lawful for savings banks to require sixty days' written notice of the withdrawal of any deposits, but when there are sufficient funds on hand the officers of the bank may in their discretion waive this requirement. It shall be lawful for savings banks to close any accounts upon written notice, as may be provided for in the by-laws, to a depositor to withdraw his deposit, after which notice it shall cease to draw interest: *Provided*, Nothing in this act shall be so construed as to prevent such banks in their discretion from issuing certificates of deposits, payable on demand.

**May require notice.** SEC. 8. All accounts upon which no deposit or drafts shall be made for a period of ten years in succession shall be so far closed that neither the sum deposited, nor the interest that shall have accrued thereon, shall be entitled to any interest after the expiration of the ten years from the date of the last deposit or draft. This provision, however, shall not apply to endowments for children, to trust estates, nor to other cases where special provision is made therefor at the time of the deposit thereof.

**Accounts closed by limitation.** SEC. 9. It shall be lawful for the directors or trustees of any such savings bank to invest the funds or capital belonging to said bank, and all moneys deposited therein, and all the gains and profits thereof, only as follows, *to-wit*:

First. In the stocks or bonds, or interest-bearing notes or certificates, of the United States.

Second. In the stocks or bonds, or evidences of debt bearing interest, of this State.

**Application.**

**Investment of funds.**

Third. In the stocks, bonds, or warrants of any city, town, county, village, or school-district of this State, issued pursuant to the authority of any law of this state, but not exceeding twenty-five per cent. of the assets of the bank shall consist of town, village, or school-district bonds or warrants.

Fourth. In notes or bonds secured by mortgage or deed of trust upon unincumbered real estate in this state, worth at least twice the amount loaned thereon.

Fifth. It shall be lawful for said banks to discount, purchase, sell, and make loans upon commercial paper, notes, bills of exchange, drafts, or any other personal or public security; but said bank shall not purchase, hold, or make loans upon the shares of its capital stock.

Sixth. In all cases of loans upon real estate, all the expenses of searches, examinations, and certificates of title, or the inspection of property, appraisals of value, and of drawing, perfecting, and recording papers, shall be paid by such borrowers. Whenever buildings are included in the valuation of any real estate upon which a loan shall be made by said bank, they shall be insured by the mortgager, for the benefit of the bank for at least two-thirds their value, in some reliable company, and the policy of insurance shall be duly assigned to the bank; and it shall be lawful for said bank to renew such policy of insurance from year to year, in case the mortgager neglects to do so, and *may* charge the same to him. All the necessary charges and expenses paid by said bank for such renewals shall be paid by such mortgager to the said bank, and shall be a lien upon the property so mortgaged until paid.

SEC. 10. It shall be lawful for savings banks to purchase, hold, and convey real estate only as follows, *to-wit*:— Real estate held by bank.

First. The lot and building in which the business of the bank may be carried on.

Second. Such as shall have been purchased at sales upon foreclosure of mortgages owned by the bank, or upon judgment or decrees obtained or rendered for debts due it; and all such real estate as is described in this clause shall be sold by said bank within ten years after the title of the same shall be vested in it by purchases or otherwise.

SEC. 11. It shall be the duty of the board of directors or trustees, from time to time, to regulate the rate of interest or dividends to be allowed to depositors, and to pay the same upon the presentation of the deposit-book or certificates; and after the payment of, or setting aside a sufficient amount to pay, the interest to depositors of said banks, and after deducting the necessary expenses of said banks, the board of directors or trustees may make from the surplus profits in hand in cash such dividends on the capital stock as in their discretion may seem best and proper.

SEC. 12. The capital stock of all banks organized under this act shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and shall be transferable on the books of the banks in such manner as shall be prescribed by the by-laws. No certificate representing shares of stocks shall

**Certificates of stock to be full paid.** of be issued (nor shall such stock be considered as required) until the whole sum of money which such certificate purports to represent shall have been paid into the corporation. Shareholders in banks organized under the provisions of this act shall be individually and severally liable to the creditor[s] of the corporation of which they are shareholders, over and above the amount of stock by them held, to an amount equal to their respective shares so held, for all its liabilities accruing while they remained shareholders, and no transfer of stock shall affect such liability for the period of six months thereafter; and should any such bank become insolvent, and its assets be found insufficient to pay its debts and liabilities, its shareholders may, to that extent, be compelled to pay such deficiency, in proportion to the amount of stock owned by each.

**Stock held by executors, &c., by married women.** SEC. 13. Whenever any stock is held by any person as executors, &c., stock, in person or by proxy, and any married woman holding stock in her own name, in any bank organized under this act, may cast her vote or appoint her own proxy to vote for her.

**Other associations having deposits or holding stock.** SEC. 14. Any person authorized thereto, by resolution of the board of directors or trustees of any corporation, association, or society, having funds deposited, or owning stock, in any bank formed under this act, shall be entitled to receive such deposit or to transfer such stock, and to cast the vote of such corporation, association, or society thereon.

**Deposits by executors, &c.; By minors; By married women.** SEC. 15. Whenever any deposits are held by any person or [as] executors, administrator, trustee, or guardian, he shall be entitled to receive the same; and whenever any deposit shall be made by any minor the directors or trustees shall pay to such depositor such sum as may be due to him or her, although no guardian shall have been appointed by or for such minor, or the guardian of such minor shall not have authorized the drawing of the same; and the check, receipt, or acquittance of such minor shall be as valid as if the same was [were] executed by a guardian of said minor, or said minor was [were] of full age, if such deposit was made personally by said minor; and whenever any deposit shall be made in her own name by any woman being or thereafter becoming married, said director[s] or trustees shall pay such sum as may be due to her on her receipt or acquittance.

**Not to issue circulating notes nor to contract debts, except, &c.** SEC. 16. No bank organized under this act shall, by implication or construction, be deemed to possess the power of creating and issuing bills, notes, or other evidences of debt for circulation as money; nor shall it be lawful for such bank, or the directors or trustees thereof, to contract any debt or liability against the bank, for any purpose whatever, except for deposits and the necessary expenses of management and transacting its business; and the capital stock and the assets of the bank shall be security to depositors.

**Directors not to be paid. Security to depositors.** SEC. 17. No director or trustee of a saving[s] bank shall, as such, receive any pay or emolument for his services; and no trustee, officer, or servant of such savings bank shall, directly or indirectly, in any manner, use the funds of the said bank, or

its deposits, or any part thereof, except for regular business trans- Use of funds  
actions, and all loans made to said trustees, officers, servants, and by officers  
agents of the bank shall be upon the same security [as] required of restricted.  
others, and in strict conformity to the rules and regulations of the  
bank; and all such loans shall be made only by the board, and  
shall be acted upon in the absence of the party applying there-  
for; but such reasonable compensation may be paid to the officers Pay of officers.  
of the bank as may from time to time be fixed in the by-laws.

SEC. 18. The total liabilities to any association of any person, or of any company, corporation, or firm, for money borrowed, including in the liabilities of a company or firm the liabilities of the several members thereof, shall at no time exceed twenty per cent. of capital stock actually paid in: *Provided*, That the discount of bona fide bills of exchange drawn against actually existing value and the discount of commercial or business paper actually owned by the person or persons, corporation, or firm negotiating the same shall not be considered money borrowed. *Proviso.*

SEC. 19. The misnomer of any such savings bank, in any instrument, shall not vitiate or impair the same if it be sufficiently described to ascertain the intention of the parties. Misnomer.

SEC. 20. It shall not be lawful for any bank, banking associa- Unauthorized use of the  
tion, or private bankers, to advertise or put forth a sign as a term "savings  
savings bank or savings institution; and any bank, banking bank" prohib-  
association, or private banker, violating these provisions, shall  
forfeit and pay, for every such offense, the sum of one hundred fine.  
dollars for every day such offense shall be continued, to be sued  
for, and recovered in the name of the people of the state, in any  
court having cognizance thereof, for the use of the school-fund.

SEC. 21. Any person or persons who shall put up or cause to same.  
be put up or exhibited any sign, or who shall issue or circulate  
any card, circular, or advertisement purporting to be a savings  
bank not being organized under this act shall, on conviction  
thereof, be adjudged guilty of a misdemeanor, and be punished by  
a fine not exceeding fifty dollars for each offense or for each day  
such offense shall be continued.

SEC. 22. All associations organized under the general incor- Code: § 1570.  
poration laws of this state, for the purpose of transacting a bank- Banking asso-  
ciations to  
business, buying, selling, exchange, receiving deposits, dis-  
counting notes, etc., shall make a full, clear, and accurate state-  
ment of the condition of the association as hereinafter provided,  
which shall be verified by the oath of the president or vice pres-  
ident or cashier and two of the directors, which statement shall  
contain:—

First. The amount of capital stock actually paid in. What to  
Second. The amount of debts of every kind due to banks, specify.  
bankers, or other persons other than regular deposits.

Third. The total amount due depositors including sight and time deposits.

Fourth. The amount subject to be drawn at sight then remain-  
ing on deposit with solvent banks or bankers of the country,  
specifying each city and town and the amount deposited in each  
and belonging to such association.

Fifth. The amount of gold and silver coin and bullion belonging to such association at the time of making statement.

Sixth. The amount then on hand of bills of solvent banks.

Seventh. The amount of bills, bonds, and other evidences of debt, discounted or purchased by such association, and then belonging to the same, specifying particularly the amount of suspended debts, the amount considered good, the amount considered doubtful, and the amount in suit or judgment.

Eighth. The value of real or personal property held for the convenience of such association, specifying the amount of each.

Ninth. The amount of undivided profits if any then on hands.

Tenth. The total amount of all liabilities to such association on the part of the directors thereof:

Which statement shall be forthwith transmitted to the auditor of state and be by him filed in his office.

SEC. 23. The auditor of state shall, at any time he may see proper, make, or cause to be made, an examination of any association, as here[in]after provided, contemplated in this chapter, or he shall call upon any such association for a report of its state and condition as hereinbefore provided, upon any given day which has passed, as often as four times in a year, and which report the auditor shall cause to be published for one day in some daily newspaper published in the county where such association shall be located, or, if there be no such newspaper published in said county, then such report shall be published in some weekly newspaper printed in said county for one week, and the expenses of such publication shall be paid by such institution.

SEC. 24. It shall be the duty of the auditor of state to communicate to the legislature, at each session, a statement of the condition of every savings bank, from which reports have been received for the preceding year, and to suggest any amendments in the law relative to savings banks which in his judgment may be necessary or proper to increase the security of depositors.

SEC. 25. Whenever it shall appear to the auditor that any savings bank has been guilty of violating this act or the law, or is conducting its business in an unsafe manner, he shall, by an order under his hand and seal of office, addressed to the institution so offending, direct discontinuance of such illegal and unsafe practices, and he shall demand a conformity with the requirements of this act, and whenever any such savings bank shall refuse or neglect to comply with such order, he shall communicate the fact to

Duty of auditor where bank is violating law, or doing unsafe business.

Duty of attorney general.

Authority of examiners.

of persons as witnesses in the courts of this state, and all books and papers which it may be deemed necessary to examine by the auditor, on the examination so appointed, shall be produced, and their production may be compelled in like manner. The expenses of any examination, made in pursuance of this act, shall be paid by the savings banks so examined, in such amount as the auditor shall certify to be just and reasonable.

SEC. 26. Every officer, agent, or clerk of any savings bank organized under this act, who shall willfully and knowingly subscribe or make any false statements or false entries in the books of such bank, or shall knowingly subscribe or exhibit false papers with the intent to deceive any person authorized to examine as to the condition of said institution, or shall willfully or knowingly subscribe or make false reports, shall be deemed guilty of felony, and upon conviction thereof shall be fined not exceeding ten thousand dollars, and be imprisoned in the state prison not less than two nor more than five years, and be forever after incapable of holding any office created by this act.

SEC. 27. Intentional fraud on the part of savings banks organized under this act, or in deceiving the public or individuals in relation to their means or their liabilities, or diversion of the funds of the bank to other objects than those mentioned in its certificate of incorporation, and the payment of dividends which leave insufficient funds to meet the liabilities of the bank, shall subject those guilty thereof to fine of not less than five hundred dollars, or imprisonment of not less than one year, or by both such fine and imprisonment at the discretion of the court, and shall cause a forfeiture of all the privileges herein conferred, and the court may proceed to close the bank by an information in the manner prescribed by law.

SEC. 28. The paid-up capital of all savings banks organized and doing business under this act shall be subject to the same rates of taxation and rules of valuation as other taxable property, by the revenue laws of the state, which taxes shall be levied on and paid by the banks and not the individual stockholders, and the general assembly shall never impose any greater tax upon property employed in banking under this act than is or may be imposed upon the property of individuals. The franchise of all such banks, the savings and funds deposited therein, and the mortgages and other securities, wherever the same are invested, are not to be taxed, but are expressly exempted therefrom, and may be omitted from assessments of the bank required by the revenue laws of this state.

SEC. 29. Whenever it is desired to increase the amount of capital stock of such banks, a meeting of stockholders may be called by a notice signed by the officers of said bank, and at least a majority of its directors, and published at least thirty days in every issue of some newspaper published in the county where the principal place of business of the bank is located, which notice shall specify the object of the meeting, the time and place when it is to be held, and the amount which it is proposed to increase the capital stock; and a vote of two-thirds of all the shares of

penalty for  
false state-  
ments, false  
entries, exhib-  
its: and re-  
p'ts.

Intentional  
fraud punish-  
ed.

Taxation of  
capital.  
To be paid by  
bank.  
No greater tax  
to be imposed  
on banking  
property than  
any other.

Exemption  
from taxa-  
tion.

Mode of in-  
creasing capi-  
tal stock.

## Certificate.

stock of said bank shall be necessary to an increase of the amount of capital stock. If at any meeting so called a sufficient number of votes have been given in favor of increasing the amount of capital stock, a certificate of the proceedings, showing a compliance with these provisions, the amount of capital stock actually paid in, and the amount to which the capital stock is to be increased, and the manner of such increase, shall be made out, signed, and verified by the affidavit of the chairman and secretary of the meeting, certified by a majority of the directors or trustees, and filed and recorded as required by the third section of this act. When this is done, the capital stock of the bank shall be increased to the amount specified in the certificate.

## Voluntary dissolution.

SEC. 30. All savings banks organized under this act may be dissolved, prior to the period fixed upon in the certificate of incorporation, by the affirmative votes of stockholders holding three-fourths of the capital stock, at a meeting of stockholders to be called for this purpose in the manner and after publication of notice as required in the preceding section. In all cases of dissolution

## Winding-up.

of a bank hereunder, or the commencement of proceedings under this act to close the same, the receiver or receivers appointed thereunder shall not be required or permitted by forced sale to sell the securities of said banks, but shall proceed as expeditiously as possible to collect the same and make distribution of proceeds to those entitled thereto.

## Existing banks may reorganize.

SEC. 31. Any bank or association existing under and by virtue of any law of this state may be reorganized under the provisions of this act, and when duly organized all securities, real estate, or property may be transferred to such new organization; but no such reorganization shall have the effect to discharge the original bank, its directors or stockholders, from any liability to its depositors or any other person; but the same shall continue until legally discharged, and such new organization or bank shall be legally liable to pay every claim or demand existing against the bank whose assets or property, or any part thereof, it has received by reason of such reorganization. All such banks may avail themselves of the provisions [of] and become incorporated under this act, by filing with the recorder of the county in which the principal place of business is located, and a certified copy thereof in the office of the secretary of state, a certificate stating their intention and election to become so incorporated thereunder, which election and intention may be made and declared by the directors or trustees of such bank or association, or a majority of them. The certificate stating such intention may be signed by the president and secretary of such corporation, association, or bank, and shall be acknowledged before some officer competent to take acknowledgments of deeds; and in all other respects existing banks and associations reorganizing hereunder shall comply with, and conform to, all the provisions and requirements of this act

## Mode of re-organization.

with reference to the original organization of savings banks, so far as the same may be applicable, and as soon thereafter as the auditor's certificate is received and published, as hereinbefore provided, may proceed to transact business.

SEC. 32. Any saving[s] bank organized under the provisions of Prohibited this act is hereby prohibited from advertising in any way, either from advertising more by publication or otherwise, any greater amount of capital than capital than is such banks have [has] actually paid in, and such bank shall be paid in. subject to a fine of twenty-five dollars for each and every violation Fine. of this section.

SEC. 33. All acts, and parts of acts in conflict with this act, Repeal. are hereby declared to be inoperative so far as they affect this act.

Approved March 21st, 1874.

## CHAPTER 61.

### VACATION OF TOWN-PLATS.

AN ACT in Relation to Vacation of Town-Plats. [Additional to Code, S. F. 289. Title IV., Chapter 12: "Of Plats."]

*Be it enacted by the General Assembly of the State of Iowa,*  
 That whenever the owners of any piece of land, not less than 40 acres in amount, which has been platted into town-lots, and the plat of which has been recorded, shall desire to vacate said plat or part of plat, it may be done in manner following. A petition signed by all the owners of the town or part of the town to be vacated shall be filed in the clerk's office of the district court of the district in which the land so platted lies, and notice of such petition shall be given, at least four weeks before the meeting of the court, by posting notices in three conspicuous places in the town where the vacation is prayed for, and one upon the court-house door of the county. At the term of court next following the filing of petition and notice, the court shall fix a time for hearing the petition, and notice of the day so fixed upon shall be given by the clerk of the court in some newspaper published in the county at least one week before the day appointed for the hearing. At the hearing of the petition, if it shall appear that all the owners of lots in the town or part of town to be vacated desire the vacation, and that there is no valid objection thereto, a decree shall be entered vacating such portion of the town, and the streets, alleys, and avenues therein, and for all purposes of assessments such portion of the town shall be as *it [if] it had never been platted into lots: Provided, however, That, if any street as laid out on the plat shall be needed for the public use, it shall be excepted from the order of vacation, and shall remain a public highway: And further provided, That this act shall not affect cities of the first and second class.*

Approved March 21st, 1874.

## CHAPTER 62.

## IN RELATION TO PEDDLERS' LICENSES.

S. F. 244. AN ACT to Amend Section 906 of the Code [Title VI., Chapter 2: "Of the Collection of Taxes"].

*Be it enacted by the General Assembly of the State of Iowa:*  
SECTION 1. That section 906, of chapter 2 of title 6, of the code be amended by adding to said section the following proviso, to-wit:

*"Provided, however,* That nothing in this section shall apply to wholesale dealers in any of the above enumerated articles, who use wagons for the delivery of goods sold at wholesale prices and by the box or package."

*Approved March 21st, 1874.*

Code: § 906.  
Peddlers' tax  
not to be  
exacted of  
wholesale  
dealers.

## CHAPTER 63.

## TAXATION OF MONEYS AND CREDITS.

AN ACT to Amend Section 812, Chapter 1, Title 6, Code of Iowa [relating to the Assessment of Taxes].

*SECTION 1. Be it enacted by the General Assembly of the State of Iowa,* That section 812, chapter 1, title 6, code of Iowa, be amended by inserting after the word "January," in the third line of said section, the following, to-wit:

*"Except moneys and credits of associations, organized under the general incorporation laws of this state, for the purpose of transacting a banking business, and moneys and credits of private bankers, and others who have loaned money, bought notes, mortgages, or other securities within the year previous to the time of assessing; in every such instance the average value of the moneys and credits which have been in the possession or under the control of the person making the list during the year previous to the time of making said assessment, shall be listed for taxation."*

Assessment  
of moneys  
and credits of  
banking asso-  
ciations and  
bankers.

Average  
value.

*Approved March 21st, 1874.*

## CHAPTER 64.

## INDUSTRIAL EXHIBITIONS IN SCHOOLS.

**AN ACT to Establish and Maintain Industrial Expositions in Public Schools of the State. [Additional to Code, Title XII., Chapter 9: "Of the System of Common Schools."]**

*Be it enacted by the General Assembly of the State of Iowa,* That it shall be the duty of the board of directors of independent school-districts, and the subdirector of each subdistrict, if they should deem it expedient, under the direction of the county superintendent, to introduce and maintain an industrial exposition in connection with each school under their control within this state.

SEC. 2. That these expositions shall consist of useful articles made by the pupils, such as samples of sewing, and cooking of all kinds, knitting, crocheting, and drawing, iron and wood-work of all kinds, from a plain box or horse-shoe to a house or steam-engine in miniature; also, all other useful articles known to the industrial world, or that may be invented by the pupils in connection with farm and garden products in their season, that are the results of their own toil.

SEC. 3. That the pupils be required to explain the use and method of their work, and kind and process of culture [of] farm and garden products.

SEC. 4. That the parents and friends of the pupils be allowed and requested to be present at said exposition.

SEC. 5. That ornamental work shall be encouraged when accompanied by something useful made by the same pupil.

SEC. 6. That these expositions be held in the school-room upon a school-day as often as once a term, and not oftener than once a month.

Approved March 21st, 1874.

## CHAPTER 65.

## NON-USER OF RAILROAD RIGHT OF WAY.

**AN ACT to Amend Section 1260, Chapter 4, Title 10 of the Code of Iowa [relating to Taking Private Property for Works of Internal Improvement].**

*Be it enacted by the General Assembly of the State of Iowa,* That section 1260, chapter 4, title 10, of the code of Iowa, be and the same is hereby amended so as to read as follows:

Section 1260. In any case where a railway, constructed in whole or in part, has ceased to be operated or used for more than five years, or in any case where the construction of a railway has been commenced by any corporation or person and work on the work.

Code, § 1261.

same has ceased, and has not been in good faith resumed for more than five years, and the same remains unfinished, it shall be deemed and taken that such corporation or person thus in default has abandoned all right and privilege over so much as remains unfinished, as aforesaid, in favor of any other corporation or person which may enter upon such abandoned work as provided in section 1261.

Approved March 21st, 1874.

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## CHAPTER 66.

### REBATE OF TAXES ON PROPERTY DESTROYED.

AN ACT to Amend Section 800 of the Code of 1873 [Title VI., Chapter 1: "Of the Assessment of Taxes"].

Code: sub-  
stitute for  
§ 800.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 800 of the code is repealed, and there is enacted in lieu thereof the following:

Rebate in case  
of destruction  
of buildings,  
crops, stock,  
or other  
property.

Section 800. The board of supervisors shall have power to rebate in whole or in part the taxes of any person whose buildings, crops, stock, or other property has been destroyed by fire, tornado, or other unavoidable casualty, if said property has not been sold for taxes or if said taxes have not been in default for thirty days at the time of destruction. But the loss for which such rebate is allowed shall be such only as is not covered by insurance.

Approved March 21st, 1874.

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## CHAPTER 67.

### VOTING OF SCHOOL TAXES.

AN ACT Allowing School-Districts lying in two adjoining Counties the Right to vote Mills instead of specific Sums for School Purposes. [Additional to Code, Title XII., Chapter 9: "Of the System of Common Schools"].

Districts in  
two counties  
may vote  
mills for  
schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That all school-districts lying in two adjoining counties shall have the right to vote mills instead of specific sums for school purposes.

Approved March 21st, 1874.

## CHAPTER 68.

AN ACT to Establish Reasonable Maximum Rates of Charges for the ~~s. f. 12, 13, 25,~~ Transportation of Freight and Passengers on the Different Railroads ~~26, 49, 66, 73,~~ of this State [Amendatory of Code, Title X., Chapter 5: "Of Rail- and ~~ways.~~"]

## RATES OF FARE AND FREIGHT.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all railroad corporations organized or doing business in this state, their trustees, receivers, or lessees, under the laws or authority thereof, shall be limited in their maximum charges to the rates of compensation for the transportation of passengers and freight, which are herein prescribed. All railroads in this state shall be classified according to the gross amount of their respective annual earnings within the state, per mile, for the preceding year, as follows: Class "A" shall include all railroads whose gross annual earnings, per mile, shall be four thousand dollars (\$4,000) or more. Class "B" shall include all railroads whose gross annual earnings, per mile, shall be three thousand dollars (\$3,000) or any sum in excess thereof less than four thousand dollars (\$4,000). Class "C" shall include all railroads whose gross annual earnings, per mile, shall be less than three thousand dollars (\$3,000).

SEC. 2. All railroad corporations, according to their classifications as herein prescribed, shall be limited to compensation per mile for the transportation of any person, with ordinary baggage, not exceeding one hundred pounds in weight as follows: Class "A" three cents; class "B" three and one-half cents; class "C" four cents: *Provided*, That no such corporation shall charge, demand, or receive any greater compensation per mile for the transportation of children twelve years of age or under, than half the rates above prescribed: *And provided, also*, A charge of ten cents may be added to the fare of any passenger, when the same is paid upon the cars, if a ticket might have been procured within a reasonable time before the departure of the train.

SEC. 3. The tariff rates established in the following schedule shall be considered the basis on which to compute the compensation for transporting freights, goods, merchandise, or property over any line of railroads within this State:—

## [SCHEDULE OF TARIFF RATES.]



Schedule of  
tariff rates  
Continued.

DISTANCES in miles.	Merchandise in cents, per hundred pounds.		First class.	Second class.	Third class.	Fourth class.	Pewter and metal, in cents, per barrel.	Salt, cement, plaster, and stucco, in cents, per barrel, in lots of 25 bar- rels, or over.	All brick (except what), and multi- riths, in cents, per 100 pounds, per car-load.	Wheat, in cents, per 100 pounds, per car-load.	Horses and mules, in dollars, per car-load.	Cattle and hogs, in dollars, per car-load.	Sheep, in dollars, per car-load, sin- gle deck.	Class A., in dollars, per car-load.	Class B., in dollars, per car-load.	Class C., in dollars, per car-load.	Class D., in dollars, per car-load.	Coal, in dollars and cents, per ton, per car load.		
	51 and less than 52...	52...																		
53	..	53..	27 20	22 67	18 13	13 60	21 67	25 85	22 67	9 52	8 66	9 62	17 02	20 86	16 52	13 70	22 83	17 74	14 43	1 11
54	..	54..	27 40	22 83	18 26	13 70	21 89	26 11	22 1	9 72	17 19	20 99	16 64	13 80	23 16	17 94	14 63	1 13	1 12	
55	..	55..	27 60	23 00	18 40	13 80	22 1	26 38	8 84	9 82	17 36	21 32	13 90	12 76	14 00	23 48	18 16	14 74	1 14	
56	..	56..	27 80	23 17	18 53	13 90	22 33	26 64	8 93	9 92	17 53	21 25	16 88	14 00	23 65	18 28	14 95	1 15	1 16	
57	..	57..	28 00	23 33	18 66	14 00	22 55	26 90	9 02	10 01	17 70	21 38	16 98	14 10	23 65	18 39	15 05	1 17	1 17	
58	..	58..	28 20	23 50	18 80	14 10	22 77	27 16	9 19	10 10	17 87	21 51	17 08	14 20	23 81	18 39	15 05	1 17	1 17	
59	..	59..	28 40	23 67	18 93	14 20	22 99	27 43	9 19	10 10	17 87	21 51	17 08	14 20	23 81	18 39	15 05	1 17	1 17	
60	..	60..	28 60	23 83	19 06	14 30	23 21	27 69	9 28	10 20	18 04	21 64	17 18	14 30	23 98	18 58	15 15	1 18	1 18	
61	..	61..	29 0	24 0	19 20	14 40	23 43	27 95	9 37	10 30	18 21	21 77	17 28	14 40	24 14	18 62	15 26	1 19	1 19	
62	..	62..	29 20	24 33	19 33	14 50	23 65	28 21	9 46	10 40	18 38	21 90	17 38	14 50	24 30	18 73	15 36	1 20	1 20	
63	..	63..	29 40	24 50	19 46	14 60	23 87	28 48	9 54	10 49	18 55	22 03	17 48	14 60	24 45	18 84	15 47	1 21	1 21	
64	..	64..	29 60	24 67	19 53	14 70	24 09	28 74	9 63	10 59	18 73	22 16	17 58	14 70	24 62	18 95	15 57	1 22	1 22	
65	..	65..	29 80	24 83	19 60	14 80	24 31	29 00	9 72	10 69	18 90	22 29	17 68	14 80	24 80	19 05	15 68	1 23	1 23	
66	..	66..	30 00	25 00	20 00	15 00	24 55	29 52	9 80	10 79	19 07	22 42	17 78	14 90	24 97	19 16	15 78	1 24	1 24	
67	..	67..	30 20	25 17	20 13	15 10	24 97	29 79	9 98	10 98	19 41	22 68	17 98	15 10	25 30	19 38	15 99	1 26	1 26	
68	..	68..	30 40	25 33	20 26	15 20	25 19	30 05	10 07	11 08	19 58	22 81	18 08	15 20	25 47	19 50	16 11	1 27	1 27	
69	..	69..	30 60	25 50	20 40	15 30	25 41	30 31	10 16	11 17	19 75	22 94	18 18	15 30	25 63	19 61	16 22	1 28	1 28	



**Schedule of  
tariff rates—  
continued.**

DISTANCES in miles.	Merchandise, in cents, per hundred pounds.	Oats, in dollars and cents, per ton per car-load.									
		Class C, in dollars, per car-load.					Class B, in dollars, per car-load.				
103 and less than 104	37 60	31 33	25 06	18 80	32 78	39 11	13 11	14 42	25 48	21 68	18 80
104	105	37 80	31 50	25 20	18 90	32 69	39 25	13 15	14 46	25 56	21 78
105	106	38 00	31 67	25 33	19 00	33 01	39 37	13 20	14 52	25 65	21 88
106	107	38 38	31 83	25 46	19 10	33 10	39 50	13 28	14 56	25 75	21 98
107	108	38 40	32 00	25 60	19 20	33 22	39 63	13 33	14 60	25 84	22 08
108	109	38 60	32 17	25 73	19 30	33 33	39 75	13 40	14 65	25 93	22 18
109	110	38 80	32 33	25 86	19 40	33 44	39 89	13 47	14 70	26 03	22 28
110	111	39 00	32 49	25 99	19 50	33 55	40 02	13 52	14 75	26 10	22 38
111	112	39 20	32 65	26 13	19 60	33 66	40 15	13 46	14 80	26 17	22 48
112	113	39 40	32 81	26 26	19 70	33 77	40 28	13 50	14 85	26 25	22 58
113	114	39 60	33 00	26 40	19 80	33 88	40 42	13 55	14 90	26 33	22 68
114	115	39 80	33 17	26 53	19 90	33 98	40 55	13 59	14 95	26 42	22 78
115	116	40 00	33 33	26 66	20 00	34 11	40 68	13 64	15 00	26 50	22 88
116	117	40 20	33 49	26 80	20 10	34 21	40 81	13 68	15 05	26 59	22 98
117	118	40 40	33 65	26 93	20 20	34 32	40 95	13 71	15 09	26 68	23 08
118	119	40 60	33 82	27 06	20 30	34 41	41 13	15 14	26 76	23 18	23 28
119	120	40 80	34 00	27 20	20 40	34 54	41 21	15 19	26 85	23 29	24 98
120	121	41 00	34 17	27 33	20 50	34 65	41 34	15 24	26 93	23 38	25 00
121	122	41 00	34 17	27 33	20 50	34 65	41 34	15 24	26 93	23 38	25 00

1	81	21	83	Coal.
121	82	21	94	Class C.
122	83	22	05	Class B.
123	83	25	51	Class A.
124	84	25	61	Sheep.
125	84	33	36	Cattle and hogs.
126	85	35	09	Horses and mules.
127	86	20	90	Lumber.
128	86	21	00	Wheat.
129	86	21	50	Other grain.
130	87	21	50	Salt, cement, plaster, and stucco.
131	87	21	50	Flour.
132	88	21	50	Merchandise 4th class.
133	88	21	50	Do. 3d class.
134	88	21	50	Do. 2d class.
135	89	21	50	Do. 1st class.
136	89	22	00	Distances—continued.
137	89	22	00	
138	90	22	00	
139	90	22	00	
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**Schedule of  
tariff rates—  
continued.**

DISTANCES in miles.	Merchandise, in cents, per hundred pounds.	COST, in dollars and cents, per ton,									
		FOURTH CLASS.					THIRD CLASS.				
156	47 25	39 37	31 50	.33 63	.38 50	.45 93	15 39	16 94	.29 93	.32 60	.26 88
156	47 40	39 50	31 60	23 70	38 58	46 04	15 43	16 58	.29 99	.32 70	.24 10
156	47 55	39 63	31 70	23 78	38 67	46 15	15 47	17 01	.20 66	.24 20	.24 10
157	47 70	39 75	31 80	23 85	38 76	46 25	15 50	17 05	.30 12	.32 80	.27 08
158	47 85	39 88	31 90	23 93	38 85	46 36	15 54	17 09	.23 09	.27 28	.14 40
159	48 00	40 00	32 00	24 0	38 94	46 46	15 57	17 12	.20 26	.33 10	.27 38
160	48 15	40 12	32 10	24 08	39 02	46 57	15 60	17 16	.20 33	.33 20	.27 45
161	48 30	40 25	32 20	24 15	39 11	46 67	15 64	17 20	.20 40	.33 30	.27 58
162	48 45	40 37	32 30	24 23	39 20	46 78	15 68	17 24	.20 47	.33 40	.26 68
163	48 60	40 50	32 40	24 36	39 29	46 88	15 71	17 28	.20 53	.33 50	.27 78
164	48 75	40 62	32 50	24 58	39 38	46 99	15 75	17 32	.20 61	.33 60	.27 88
165	48 90	40 75	32 60	24 53	39 45	47 09	15 78	17 35	.20 68	.33 70	.28 00
166	49 05	40 88	32 70	24 58	39 55	47 20	15 82	17 40	.20 74	.33 80	.28 10
167	49 20	41 00	32 80	24 60	39 64	47 30	15 85	17 43	.20 81	.33 90	.28 18
168	49 35	41 12	32 90	24 68	39 73	47 41	15 89	17 47	.20 88	.34 00	.28 28
169	49 50	41 25	33 00	24 75	39 82	47 51	15 93	17 51	.20 95	.34 10	.28 38
170	49 65	41 37	33 10	24 83	39 90	47 62	15 96	17 55	.21 02	.34 20	.28 48
171	49 80	41 50	33 20	24 90	39 99	47 72	15 99	17 58	.21 08	.34 30	.28 58
172	49 95	41 62	33 30	24 98	40 08	47 82	16 02	17 62	.21 15	.34 40	.28 68
173	49 80	41 50	33 20	24 90	39 99	47 72	15 99	17 58	.21 08	.34 30	.28 58



Schedule of  
tariff rates—  
continued.

DISTANCES in miles.	Merchandise, in cents, per hundred pounds.	Class C, in dollars, per car-load.																				
		Class B, in dollars, per car load.					Class A, in dollars, per car-load.															
Sheep, in dollars, per car load, ship- deck.																						
Cattle and hogs, in dollars, per car- load.																						
207 and less than 208	55 05	45 88	36 70	27 53	43 07	51 40	17 22	18 94	33 48	37 80	32 00											
208	55 20	46 00	36 80	27 60	43 16	51 50	17 26	18 98	33 54	37 90	32 09											
209	55 35	46 12	36 90	27 68	43 25	51 61	17 30	19 03	33 61	38 04	32 18											
210	55 50	46 25	37 00	27 75	43 34	51 71	17 33	19 06	33 69	38 10	32 27											
211	55 65	46 37	37 10	27 83	43 42	51 82	17 37	19 10	33 76	38 20	32 36											
212	55 80	46 50	37 20	27 90	43 51	51 92	17 40	19 14	33 82	38 30	32 45											
213	55 95	46 62	37 30	27 98	43 60	52 03	17 44	19 18	33 89	38 40	32 54											
214	56 10	46 75	37 40	28 05	43 69	52 13	17 47	19 22	33 95	38 50	32 63											
215	56 25	46 88	37 50	28 13	43 78	52 24	17 51	19 26	34 03	38 60	32 72											
216	56 40	47 00	37 60	28 20	43 86	52 34	17 54	19 29	34 10	38 70	32 81											
217	56 55	47 12	37 70	28 28	43 95	52 45	17 58	19 33	34 16	38 80	32 90											
218	56 70	47 25	37 80	28 35	44 04	52 55	17 61	19 37	34 23	38 91	32 99											
219	56 85	47 37	37 90	28 43	44 13	52 66	17 65	19 41	34 30	39 00	33 08											
220	57 00	47 50	38 00	28 50	44 22	52 76	17 68	19 44	34 37	39 10	33 17											
221	57 15	47 62	38 10	28 58	44 30	52 87	17 72	19 49	34 45	39 20	33 26											
222	57 30	47 75	38 20	28 65	44 39	52 97	17 75	19 52	34 51	39 30	33 35											
223	57 45	47 88	38 30	28 73	44 48	53 08	17 79	19 56	34 58	39 40	33 44											
224	57 60	48 00	38 40	28 80	44 57	53 18	17 82	19 60	34 64	39 50	33 53											
225																						

226	57	75	48	12	38	50	28	88	44	66	63	29	17	86	19	64	34	71	39	60	33	62	30	02	43	73	36	22	32	86	2	72		
226	57	90	48	25	38	60	28	95	44	74	53	39	17	89	19	67	34	78	39	70	33	71	30	08	43	84	36	33	32	97	2	73		
227	228	58	05	48	37	53	29	03	44	83	53	50	17	93	19	72	34	85	39	80	33	89	30	14	43	94	36	34	33	07	2	73		
228	229	58	20	48	50	38	80	29	10	44	92	53	60	17	96	19	75	34	91	39	90	33	89	30	20	44	05	36	54	33	17	2	74	
229	230	58	35	48	62	38	90	29	18	45	01	*63	91	18	00	19	80	34	98	30	26	44	16	36	65	33	28	2	74					
230	231	58	50	48	75	39	00	29	25	45	10	53	81	18	04	19	84	35	05	40	10	34	07	30	32	44	27	36	75	33	39	2	75	
231	232	58	65	48	88	39	10	28	33	45	15	53	92	18	07	19	87	35	12	40	20	34	16	30	38	44	38	36	49	33	49	2	75	
232	233	58	80	49	00	39	20	29	40	45	27	54	02	18	10	19	90	35	19	40	30	34	25	30	44	44	49	36	96	33	60	2	76	
233	234	58	95	49	12	00	39	30	29	48	45	36	54	13	12	18	14	95	35	25	40	30	34	31	30	50	44	59	37	07	33	71	2	76
234	235	59	10	49	25	39	40	29	55	45	45	54	23	18	18	19	99	35	32	40	50	34	43	30	56	44	69	37	17	33	82	2	77	
235	236	59	26	49	37	39	50	29	63	45	64	54	34	18	21	20	03	40	40	40	60	34	52	30	62	44	79	37	32	33	92	2	77	
236	237	59	40	49	50	39	60	29	70	45	62	54	44	18	24	20	06	35	46	40	70	30	74	45	00	34	03	37	49	34	13	2	78	
237	238	59	55	49	62	39	70	29	78	55	71	54	44	18	28	20	10	35	53	40	80	34	70	34	13	37	59	34	24	2	79			
238	239	59	70	49	75	39	80	29	85	45	80	54	65	18	32	20	14	35	60	40	90	34	79	30	80	45	11	37	59	34	24	2	79	
239	240	59	85	49	88	39	90	29	93	45	89	54	76	18	35	20	18	35	66	20	18	35	66	21	70	34	34	31	82	2	79			
240	241	60	00	50	00	40	00	30	00	45	98	54	86	18	39	20	22	35	74	41	10	97	30	88	45	31	37	80	34	34	2	80		
241	242	60	15	50	12	40	10	30	08	46	06	54	97	18	42	20	26	35	81	41	20	35	88	31	04	45	52	38	02	34	66	2	81	
242	243	60	30	50	25	40	20	30	15	46	15	55	07	18	46	20	30	35	87	41	30	35	15	31	04	45	62	38	12	34	77	2	81	
243	244	60	45	50	37	40	30	30	23	46	24	55	18	18	49	20	34	35	95	41	40	35	24	31	10	45	62	38	23	34	87	2	82	
244	245	60	60	50	40	40	30	30	23	46	23	55	29	20	38	30	38	36	02	41	60	35	33	33	21	22	45	83	38	33	34	98	2	82
245	246	60	75	50	62	40	50	30	38	46	42	55	29	18	57	20	42	36	08	41	60	35	42	31	22	45	83	38	33	34	98	2	82	
246	247	60	90	50	75	40	60	30	45	46	50	55	49	18	60	20	48	36	15	41	70	35	51	31	28	45	94	38	43	35	08	2	83	
247	248	61	05	50	88	40	70	30	53	46	59	55	60	18	63	20	52	49	36	21	41	80	35	60	31	34	46	04	38	54	35	19	2	83
248	249	61	20	50	00	40	80	30	60	46	68	55	70	18	66	20	52	38	28	41	90	35	69	33	60	46	11	38	62	35	25	2	84	
249	250	61	35	51	12	40	90	30	68	46	77	55	81	18	70	20	57	36	35	78	31	40	46	18	38	70	35	35	25	2	84			
250	251	61	50	51	25	41	00	30	75	46	86	55	91	18	74	20	61	36	42	42	10	35	86	31	52	46	25	38	70	35	43	2	85	
251	252	61	62	51	35	41	08	30	81	46	94	56	02	18	77	20	64	36	50	44	20	35	94	31	58	46	32	38	86	35	51	2	85	
252	253	61	74	51	45	41	16	30	87	47	03	56	12	18	81	20	69	36	57	42	30	36	61	31	64	46	39	38	94	35	59	2	86	
253	254	61	86	51	55	41	24	30	93	47	12	56	23	18	84	20	72	36	63	42	40	36	10	31	70	46	46	39	02	35	67	2	86	
254	255	61	98	51	65	41	32	30	99	47	21	56	33	18	88	20	76	36	70	42	50	36	18	31	71	45	53	39	10	35	75	2	87	
255	256	62	10	51	75	41	40	31	05	47	30	56	44	18	92	20	81	36	77	42	60	36	23	31	82	46	60	39	18	35	83	2	87	
256	257	62	22	51	85	41	48	31	11	47	38	56	54	18	95	20	84	36	84	42	80	36	23	31	88	46	67	35	26	35	91	2	88	
257	258	62	34	51	95	41	56	31	17	47	47	56	65	18	98	20	87	36	91	42	80	36	23	31	94	46	74	35	39	34	99	2	88	
258	259	62	46	52	05	41	64	31	23	47	56	56	75	19	02	20	92	36	98	42	90	36	50	32	00	46	81	36	07	36	89	2	89	

Distances—  
continued.

Coal.

Class C.

Class B.

Lumber.

Wheat.

Flour.

Merchandise  
4th class.

Do. 2d class.

Do. 1st class.

Sheep.

Cattle and.  
hogs.Horses and.  
mules.

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**Schedule of  
tariff rates—  
continued.**



Schedule of  
tariff rates—  
continued.

DISTANCES in miles.	Merchandise, in cents, per hundred pounds.			
	First class.	Second class.	Third class.	Fourth class.
311 and less than 312	68 58	57 15	45 72	34 29
312	68 68	57 23	45 79	34 34
313	68 68	57 31	45 85	34 39
314	68 78	68 88	57 40	45 92
315	68 88	68 88	57 47	45 98
316	68 96	69 08	57 56	46 05
317	69 08	69 08	57 65	46 12
318	69 18	69 18	57 65	46 12
319	69 28	57 73	46 18	34 64
320	69 38	57 81	46 25	34 69
321	69 48	57 90	46 32	34 74
322	69 58	57 98	46 38	34 79
323	69 68	58 06	46 45	34 84
324	69 78	58 15	46 52	34 89
325	69 88	58 23	46 58	34 94
326	69 98	58 31	46 65	34 99
327	70 08	58 40	46 72	35 04
328	70 18	58 47	46 78	35 09
329	70 28	58 56	46 85	35 14
311 and less than 312	61 50	50 54	39 61	22 67
312	61 61	50 61	39 70	22 73
313	61 61	50 67	39 76	22 79
314	61 66	51 74	40 15	22 83
315	61 80	61 81	40 25	22 89
316	61 90	61 90	40 30	22 95
317	61 94	61 97	40 35	22 98
318	62 00	62 05	20 50	22 88
319	62 07	62 13	20 52	22 90
320	62 14	62 21	20 55	22 93
321	62 20	62 29	20 58	22 96
322	62 27	62 37	20 60	22 99
323	62 44	62 52	20 63	23 02
324	62 53	62 60	40 65	23 07
325	62 53	62 60	40 70	23 05
326	62 47	62 60	40 75	23 08
327	62 53	62 63	40 80	23 11
328	62 75	62 75	21 04	23 14
329	62 66	62 84	21 06	23 16
311 and less than 312	48 09	40 52	35 18	40 31
312	48 13	40 59	35 24	40 39
313	48 27	40 90	35 30	40 47
314	48 36	40 98	35 33	40 55
315	48 45	41 06	35 42	40 63
316	48 54	41 14	35 48	40 71
317	48 63	41 22	35 54	40 79
318	48 72	41 30	35 60	40 87
319	48 81	41 38	35 66	40 95
320	48 90	41 46	35 72	40 103
321	48 99	41 54	35 78	40 111
322	49 08	41 62	35 84	40 119
323	49 17	41 70	35 90	40 127
324	49 26	41 78	35 96	40 135
325	49 35	41 86	36 02	40 143
326	49 44	41 94	36 08	40 151
327	49 53	42 02	36 14	40 159
328	49 62	42 10	36 20	40 167
329	49 71	42 16	36 24	40 174
311 and less than 312	33 15 <sup>1</sup>	33 16 <sup>2</sup>	33 16 <sup>3</sup>	33 16 <sup>4</sup>
312	33 16 <sup>5</sup>	33 16 <sup>6</sup>	33 16 <sup>7</sup>	33 16 <sup>8</sup>
313	33 16 <sup>9</sup>	33 16 <sup>10</sup>	33 16 <sup>11</sup>	33 16 <sup>12</sup>
314	33 16 <sup>13</sup>	33 16 <sup>14</sup>	33 16 <sup>15</sup>	33 16 <sup>16</sup>
315	33 16 <sup>17</sup>	33 16 <sup>18</sup>	33 16 <sup>19</sup>	33 16 <sup>20</sup>
316	33 16 <sup>21</sup>	33 16 <sup>22</sup>	33 16 <sup>23</sup>	33 16 <sup>24</sup>



**Schedule of  
tariff rates —  
continued.**

\* These figures and any other in the schedule similarly indicated, are evidently erroneous, but are here given as they appear in the enrolled bill. —SECRETARY OF STATE.

\* These figures, and any other bill.—[SECRETARY OF STATE.]

SEC. 4. It shall be unlawful for any railroad corporation to charge, demand, or receive a greater compensation for transporting merchandise or property over a line of railroad of class "A" than ninety per cent. of the rates established in the schedule of section three of this act; and it shall be unlawful for any railroad corporation to charge, demand, or receive a greater compensation for transporting goods, merchandise, or property over a line of railroad of class "B" than five per cent. in addition to the rates established in the schedule of section three of this act; and it shall be unlawful for any railroad corporation to charge, demand, or receive a greater compensation for transporting goods, merchandise, or property over a line of railroad of class "C" than 20 per cent. in addition to the rates established in the schedule of section three of this act. Do.: class B.  
Do.: class C.

SEC. 5. The following classification of freights, explanatory of the preceding schedules, shall be taken and held to be the classification in force in this state under the provision[s] of this act:

EXPLANATION OF CHARACTERS.

The class as given opposite each article, 1, 2, 3, 4, stands for First, Second, Third, and Fourth Classes, respectively;  $1\frac{1}{2}$  for once and a half First Class, and D1 for Double First Class.

Articles not enumerated will be classed with similar articles.

Acids.....	D 1	Plows knocked down and boxed .....	2
25 carboys, or over .....	1	Alcohol.....	1
Car loads.....	4	Alcohol, 10 bbls. or more ...	2
Agricultural implements in car loads .....	Class A	Alcohol, 20 bbls. or over .....	4
Less than car loads as follows:		Ale, 20 bbls. or over .....	4
Fanning mills, sulky horse-rakes, and similar light and bulky machines .....	D 1	Ale, less than 20 bbls.....	3
Cultivators, corn-planters, harrows, shovel-plows, and shearing machines .....	$1\frac{1}{2}$	Ale, in glass, packed.....	1
Iron cultivators, wooden horse-rakes, reapers, mowers, harvesting machines, plows, seed-drills, and feed-cutters .....	1	Allspice .....	3
Cultivators, corn-planters, shovel-plows, and fanning mills, when knocked down and taken apart....	1	Almonds in sacks .....	1
Sulky horse-rakes knocked down and teeth taken out	1	Almonds in bbls. or boxes..	2
Iron corn-shellers.....	1	Alum.....	3
Threshers, one, at half car rate.		Ammunition, fixed — see Government supplies.	
		Antimony, crude.....	1
		Anvils.....	4
		Apple butter, or sauce.....	2
		Apples, dried.....	2
		Apples, dried—50 bbls. or over .....	4
		Apples, green, in bulk in car loads, same as potatoes	
		Apples, green, 40 bbls. or more .....	4
		Apples, green, less than 40 bbls.....	3
		Apples in car loads of 120 bbls. or more; car load, flour rates.	
		Ashes, pot, pearl, and soda	4
		Ash boilers or kettles, large and heavy .....	4
		Asphaltum .....	4
		Axes .....	3
		Ax-handles, boxed.....	3
		Ax-handles in bundles.....	2
		Axle grease.....	3
		Axle-grease, 50 cases or over	4
		Axle, iron.....	3
		Axle, wooden.....	2

Classification of freights— continued.	Bacon, loose or in bags.....	2	Boilers, 30 feet long or over	1½
	Bacon, loose, car loads.....	4	Less than 30 feet.....	1
	Bacon, packed.....	4	Boiler felting .....	2
	Bagging .....	2	Boiler-plates .....	4
	Bags, in bales or bundles...	2	Bonnets, boxed.....	D 1
	Baking powders.....	2	Books .....	1
	Baking powders, 100 boxes or more.....	3	Boots and shoes, boxed and strapped .....	1
	Balance wheels, 8 ft. or less in diameter.....	1	Boots & shoes, not strapped	1½
	Bandboxes .....	D 1	Boots and shoes in trunks.	1½
	Bandboxes, boxed.....	1½	B·rax .....	2
	Barilla.....	3	Bottles, in boxes.....	2
	Bark-mills .....	2	Bottles, in casks.....	3
	Bark, tanners'.....	3	Boxes, empty.....	1
	Bark, tanners', in car loads.. Class C		Boxes, empty, car load.....	Class A
	Barley.....	3	Bran, see mill-stuffs.	
	Barrels, empty, in car loads Class C		Brass, in sheets, rods, and rivets .....	2
	Barrels, empty.....	1	Brass vessels.....	2
	Beer bbls.....	2	Brass castings.....	2
	Half bbls.....	2	Brass, scrap .....	2
	Quarter bbls.....	2	Bread.....	1
	Eighth bbls.....	2	Bread, in car load .....	4
	Baskets.....	D 1	Brick.....	4
	Baskets, car loads.....	Class A	Brick, common, in car loads Class C	
	Bath brick.....	4	Brick fire.....	4
	Bath-tubs.....	D 1	Brick, fire, in car loads.....	Class C
	Batting.....	D 1	Brick for stove-linings, loose	1
	Bay rum.....	1	Brick for stove-linings, in boxes or bbls.....	4
	Beans, dry.....	3	Brimstone, in boxes or kegs	2
	Beans, dry, car load.....	4	Brimstone, in bbls. or hhds	4
	Beans, castor.....	3	Britannia ware.....	1
	Beans, castor, car load.....	4	Broom corn, in bales.....	1
	Bed cord, in bundles.....	1	Car loads.....	4
	Bed-springs, in bundles .....	1	Broom corn presses.....	1½
	Bedsteads, rough.....	2	Broom corn seed.....	2
	Bedsteads, finished, in pieces	1	Brooms, in bales or bundles	1
	Beef, car loads.....	Class C	Broom-handles .....	2
	Beef, packed.....	4	Broom handles, car loads.....	Class A
	Beef, dried, loose.....	2	Brushes, loose.....	D 1
	Bee-hives .....	D 1	Brushes, packed in boxes...	1
	Beer, car loads.....	Class A	Buckets .....	1
	Beer, same as ale.		Burial-cases.....	1
	Beeswax.....	2	Burning fluid.....	1
	Bells .....	2	Burr blocks.....	4
	Bellows.....	1	Butcher's blocks.....	2
	Belting, rubber or leather...	2	Butter, in crocks.....	1
	Benzole, same as coal oil....		Butter, in kegs or boxes.....	2
	Benzine, same as coal oil....		Butter, 10,000 lbs. or over ..	3
	Berries, except cranberries	1		
	Bird-cages, boxed.....	D 1	Cabinet ware, see furniture	
	Bitters, in glass, boxed.....	1	Cabinet organs.....	1
	100 boxes or over.....	2	Caissons .....	2
	Black lead, in bbls or boxes	3	Cable chain.....	4
	Blacking, shoe.....	3	Campbene, in wood.....	1½
	Bleaching salts or powders	4	Candles .....	2
	Blankets .....	1	Candles, 2,000 lbs or more..	4
	Blue vitriol .....	2	Canvass .....	1
	Blinds .....	1	Canvas, roofing.....	2
	Boats.....	D 1	Canes .....	1
	Boats, when flat car required.	Class A	Cane-mills .....	2
	Boiler-flues .....	2		

Cannon.....	2	Cheese-presses .....	1	Classification of freights— continued.
Cannon, on wheels, or if flat car required.....	Class A	Cheese-safes .....	D 1	
Candy .....	1	Chicory .....	3	
Canned goods.....	2	Chicken coops, empty .....	D 1	
Canned goods, 100 boxes or over .....	3	China ware.....	1	
Caps in boxes, strapped .....	1	Chocolate.....	2	
Caps in boxes, not strapped .....	1½	Churns, wood .....	1	
Caps in trunks.....	1½	Cider.....	3	
Carboys and contents .....	D 1	Cider, in car loads.....	Class A	
Carboys, empty.....	1	Cider-mills.....	1	
Carboys, empty, car loads.....	Class A	Cider presses.....	1	
Cards.....	1	Cigars, boxed and strapped .....	D 1	
Card-board .....	2	Cisterns, wood .....	D 1	
Carpets and carpeting.....	1	Clay.....	4	
Carpet-hemp.....	1	Clocks and weights .....	1	
Carpet-lining .....	1	Clothing, in trunks .....	1	
Carpenters' tools .....	1	Cloth[ejs-pins, boxed .....	2	
Carriages and sleighs, not boxed .....	1½	Cloth[ejs-wringers, not bxd .....	D 1	
Carriages, well boxed .....	D 1	Clover-seed .....	2	
Carriage springs, boxes, and axles .....	2	Clover-seed, car loads .....	4	
Car-springs, rubber.....	2	Coal, hard or soft, less than car load .....	4	
Car-springs, volute, boxed..	4	Coal, hard, car loads.....	Class C	
Car-wheels and axles.....	4	Coal, soft, in car loads, see table of rates.		
Car-wheels and axles, car loads.....	Class C	Coal, hard, in quantities of 5 cars or upward .....	Class C	
Carts in pieces .....	1	Coke, car loads .....	Class C	
Casks, large, empty.....	1½	Coke, 5 cars or upward, soft coal rates.		
Cassia .....	1	Coal-tar, in car loads .....	Class C	
Cast iron grain-mills.....	2	Coal-tar, less than car load .....	4	
Castor oil, in glass.....	1	Coal-oil, in wood.....	2	
Castor oil, in wood.....	3	Coal-oil, 50 bbls. or more .....	4	
Caldron-kettles .....	2	Cob-mills .....	2	
Cedar posts, less than car loads, same as lumber.		Cocoa.....	2	
Cedar posts, car loads, same as lumber.		Cocoanuts, in boxes, bbls, or casks .....	2	
Cement, less than 25 bbls...	4	Cocoanuts, in bags.....	1	
Cement, 25 bbls. or more, see table of rates.		Cocoa matting .....	1	
Chain, in casks .....	4	Codfish, in casks or boxes..	4	
Chain, loose, except cable..	2	Codfish, in bundles .....	3	
Chain, loose, cable .....	4	Coffee, ground .....	3	
Chain-pumps and fixtures..	1	Coffee, in sacks .....	4	
Chair stuff, in rough .....	2	Coffee essence or extract, in boxes .....	2	
Chair stuff in rough, car loads .....	Class A	Coffee-mills, boxed.....	2	
Chairs, finished, three times first class.		Coffins, metallic or wood .....	1	
Chairs, set up.....	D 1	Collars, horse .....	1	
Chairs, wooden, knocked down in bundles.....	1	Composition for roofing .....	4	
Chalk .....	4	Composition for roofing, car loads .....	Class B	
Charcoal.....	1	Concentrated lye.....	3	
Charcoal, car loads.....	Class C	Condensed milk, coffee, and meats .....	1	
Cheese, in boxes or casks ..	2	Condensed milk, coffee, and meats, 100 boxes or more .....	3	
Cheese, 50 pkgs. or over.....	3	Confectionery .....	1	
Cheese, in car loads .....	4	Cooperage, car loads.....	Class B	
Cheese, loose .....	D 1	Copper vessels .....	2	
		Copperas .....	1	
		Copper bottoms .....	2	

Classification of freights— continued.	Copper plates, sheets, bolts, pig, wire, nails, and rods..	2	Earthen and stone ware.....	1
	Copying-presses .....	1	Earthen and stone ware, in car loads.....	Class A
	Cordage, in bundles.....	1	Eaves-troughs, wooden.....	2
	Corks.....	1	Earth paints.....	4
	Corn-husks—same as hay.		Eggs, in baskets and boxes.	1
	Corn-planters— see agricul- tural implements.		Eggs, packed.....	2
	Corn meal—see flour.....		Eggs, car loads.....	4
	Corn-shellers .....	1	Egg cases, car loads.....	Class A
	Corn stalk cutters.....	1	Less quantities.....	1
	Cotton waste.....	1	Emery.....	2
	Cotton, in bales.....	1	Engines, steam, set up.....	1
	Cotton goods, domestic.....	1	Epsom salts.....	2
	Covers and sieves.....	1	Evaporators .....	D 1
	Crackers, in bbls or boxes..	1	Extracts not otherwise enum- erated.....	1
	Crackers, 10 bbls or more....	3	Excelsior, in bales.....	2
	Crackers, 50 bbls or more....	4	Excelsior, car loads.....	4
	Cranberries.....	2		
	Cranberries, car load.....	4	Fans, palm-leaf.....	1
	Cream tartar.....	2	Facing, iron, coal, or stove...	3
	Crockery, in bbls or boxes..	2	Fanning mills—see ag'l im- plements.	
	Crockery, in crates or hhds	4	Farina.....	2
	Croquet sets in boxes.....	1	Feathers, in bags.....	D 1
	Crowbars.....	4	Felt, for roofing.....	4
	Crucibles.....	1	Felt, for roofing, car loads..	Class A
	Cultivators, see agr'l impl'ts		Felloes, sawed rough.....	2
	Currants, dried—see dried fruit.		Felloes, wagon, car loads....	Class A
	Currants, not dried.....	1	Figs, in boxes or cases.....	2
	Cutlery.....	1	Figs, in drums.....	1
	Dates.....	1	Firearms.....	1
	Deck or vault lights.....	3	Fire-clay, in boxes, barrels, or casks.....	4
	Deer skins, pressed, in bales	1	Fire-clay, car loads.....	Class C
	Deer skins, in bundles.....	D 1	Fire crackers and fireworks	D 1
	Demijohns.....	D 1	Fish, dried, pickled, or salted, except herrings.....	4
	Ditching machine.....	1	Fish, fresh.....	1
	Domestic sheeting, shirting, ticking, and denims, in original bales.....	1	Fish, fresh, car loads.....	4
	Door and window frames, small lots.....	1	Fishing rods.....	D 1
	Door and window frames, car loads.....	Class A	Flat irons, in boxes or bbls.	4
	Doors.....	2	Flax.....	1
	Doors, car loads.....	Class A	Flax, 1,400 pounds or over...	4
	Dried fruit.....	2	Flaxseed, 18,000 pounds or over, same as wheat.	
	Drain-tile.....	2	Flaxseed, less than 18,000 pounds.....	4
	Drain-tile, in car loads.....	Class B	Flour, 100 pounds or over— see table of rates.	
	Drag-teeth, in bbls. or boxes	4	Flour, 50 bbls and less than 100 bbls, 10 per cent. more than table of rates for 100 barrels.	
	Druggists' stock.....	1	Flour, less than 50 bbls.....	4
	Drugs and medicines.....	1	Flour in sacks, 2,000 lbs and over.....	3
	Dry goods, in boxes or bales	1	Flour in sacks, car loads, 20,- 000 lbs., same as barrels.	
	Dry goods, in trunks .....	1½	Flour in sacks, less than 2,- 000 lbs.....	2
	Duck.....	1	Forks, hay and manure.....	2
	Dyestuffs, not otherwise spe- cified .....	2		
	Dye-woods.....	2		
	Earth closets.....	2		
	Earthen and stone ware, in crates or hhds.....	4		

			Classification of freights— continued.
Fork handles.....	2	Grapes in kegs or boxes....	1
FowlS, alive, in crates and coops.....	D 1	Grass seed, except clover....	4
FowlS, alive, in crates and coops, car loads.....	Class A	Grass seed, except clover, in car loads, same as wheat.	
FruitS, dried.....	2	Grease, same as lard.	
FruitS, canned.....	2	Grate castings—see stoves.	1
FruitS, canned, 100 boxes or more.....	3	Gravestones .....	4
FruitS, green, of all kinds..	1	GrindstoneS .....	
Furniture, school.....	1	Grindstones, car load .....	Class B
Furniture, set up.....	D 1	GrocerieS assorteD, not otherwise specified.....	2
Furniture in car loads.....	Class A	Guano.....	3
Knocked down or unfinished .....	1	Gun copal .....	2
Set up and boxed .....	D 1	Gum, camphor and chewing Gum.....	1
FurS.....	D 1	Gum shellac in original pkgs .....	2
Fuse, safety and other.....	D 1	Gunny bags in bales .....	4
Galvanized iron cornice, etc	D 1	Gunpowder—see powder.	
Galvanized iron cornice, car load .....	Class A	Gutta percha goods.....	1
Gambia.....	3	Hair in sacks .....	1
Game .....	1	Hair, pressed, in bales or rope.....	2
Garden seedS .....	1	Hair, pressed, in car loads..	4
Garden seedS, car load.....	4	Hams and shoulders, loose..	2
Garden rootS—see potatoeS.		Hams and shoulders loose, in car loads .....	4
Gas fixtureS, bxs., bbls. or cks.....	1	Hams and shoulders, packed .....	4
Gas pipe.....	4	Handles of wood, ax, broom, pick, and fork, car loads .....	Class A
Gas retortS, iron .....	4	Harness .....	1
Gas retortS, clay.....	2	Hardware, not otherwise specified.....	2
Gas meterS .....	D 1	Ginger .....	1
Ginseng .....	1	Glassware .....	1
Ginger .....	2	Glass—see window glass.	
Glassware .....	1	Glass, broken scraps, boxes, bbls., or casks.....	4
Glue .....	2	Glue .....	2
GOVERNMENT SUPPLIES.			
Ammunition, fixed.....	3	Hats in boxes, strapped....	1
Ordnance storeS.....	2	Hats, in bxs., not strapped .....	1½
Quartermaster's storeS not otherwise specified.....	2	Hats in trunks .....	1½
Cannon on wheels .....	Class A	Hay presses, knocked down .....	1
Subsistence storeS not otherwise specified .....		Hay presses set up, car load .....	Class A
Tents and poles, picket and tent pinS.....	2	Hay, pressed, in car loads .....	Class C
Grain in lots of 18,000 lbs. and over, see table of rates.		Hay, pressed, less than car load .....	1
Grain in lots of less than 18,000 lbs., provided the amount does not exceed charges on 18,000 lbs.....	4	Hay cutters .....	1½
Grain cradles—see agricultural implementS.		Hay knives .....	1
		Hedge plantS .....	1
		Hemp machineS .....	2
		Hemp .....	1
		Hemp, car loads, 14,000 lbs. ....	4
		Herrings in boxes or kegs..	2
		Hides, dry, loose.....	1
		Hides, pressed, in bales ....	2
		Hides, car loads, loose or in bales .....	Class A
		Hides, green, 1,000 lbs. or more .....	3
		Hides, green, under 1,000 lbs .....	2
		Hides, green, car load.....	4

Classification of freights— continued.	Highwines .....	2	Iron, nuts and rivets.....	4
	Highwines, 20 bbls. or more	4	Iron ore.....	4
	Hinges and hooks .....	2	Iron ore, car loads.....	Class C
	Hobby horses.....	D 1	Iron pipe, gas and water.....	4
	Hobby horses, knocked down and boxed.....	1	Iron railing.....	2
	Hoes .....	2	Iron roofing, in boxes.....	4
	Hogs, dressed.....	2	Iron safes.....	2
	In car loads, 18,000 lbs....	4	Iron, scrap, in car loads, bulk, or bbls.....	Class C
	Hogsheads.....	1½	Iron scrap, in bbls, or boxes, less than car load.....	4
	Hollow ware.....	1	Iron shutters.....	3
	Hominy .....	2	Iron water wheel.....	2
	Honey .....	1	Isinglass.....	1
	Hoop[s], shaved, car loads, not exceeding 10 tons.....	Class B	Ivory and ivory black.....	1
	Less than car load.....	4		
	Hoop poles, car load, not to exceed 10 tons.....	Class C	Jack screws.....	3
	Less than car load.....	4	Japanned ware.....	1
	Hoops and hoop poles loaded together, car load.....	Class B	Joiners' work, not other- wise specified .....	1
	Hoofs and horns.....	2	Junk and jute.....	3
	Hoofs and horns, car load..	Class C	Kerosene, in wood (see coal oil).	
	Hops .....	2	Kerosene, in tin, boxed....	1
	Horse rakes knocked down	1	Kitchen safes, set up.....	D 1
	Horseshoes.....	4	Kitchen safes, knocked down, in bbls.....	1
	Horse collars.....	1	Knitting machines.....	1½
	Hose, leather, rubber, can- vas, or other .....	2	Kraut.....	4
	Household goods, well b'x'd	1	Kraut, car loads.....	Class C
	Household goods, car loads.	Class A	Ladders.....	D 1
	Hubs, wagon, car loads.....	Class A	Lampblack.....	1
	Husks, corn, in bales, car loads.....	Class C	Lamp well packed.....	1
	Husks, less than car loads...	1	Lanterns.....	1
	Ice.....	1	Lard in boxes or bbls.....	4
	Ice, car loads.....	Class C	Lard, in stoneware.....	2
	India rubber goods, not otherwise specified.....	1	Lard tanks.....	D 1
	Indigo.....	1	Lath—see lumber.	
	Ink, in glass or stone.....	1	Lasts.....	2
	Ink, printing or other, in wood .....	2	Lead pig.....	4
	Iron, bar, band or boiler....	4	Lead pig, car loads.....	Class C
	Iron bolts and washers.....	4	Lead in bar, pipe, or sheet.	2
	Iron nuts, bolts and wash- ers, car loads.....	Class A	Lead in bar, pipe, or sheet, in casks .....	4
	Iron axles, wagon, car loads.	Class A	Leather, except loose.....	2
	Iron castings, in boxes or casks .....	4	Leather, loose.....	1
	Iron castings, not other- wise specified:		Lemons and oranges.....	1
	Light and loose.....	1	Licorice.....	2
	Heavy and plain.....	4	Lightning rods in bundles..	3
	Heavy and plain, car loads	Class C	Lime, in car loads.....	Class C
	Iron facings.....	3	Lime, less than car loads....	4
	Iron, hoop or sheet, except Russia .....	4	Liquor or liquids, in glass...	1
	Iron, Russia.....	2	Liquors, in wood.....	1
	Iron, galvanized, except cor- nice .....	2	Liquids, in cans or jugs, packed in kegs or boxes.	1

animal .....	D 1	Melons, car loads.....	Class A	Classification
Two animals.....	1½	Millstones.....	3	of freights— continued.
Three or more animals, not to exceed car load rate for cattle.....	1	Mill stuffs, car loads—see table of rates		
Stallions or jacks.....	D 1	Mill stuffs, in bags, less than car load.....	4	
Less than car load, calves, sheep, not to exceed car load rates for sheep.....	1½	Mills, grain and cane, cob and bark.....	2	
Hogs, less than car load, actual weight, not to exceed car load rates for cattle .....	1½	Mills, portable (burr stone)	2	
Locomotive tire .....	4	Millinery goods.....	1	
Logwood extract.....	1	Mineral water.....	1	
Looking-glasses, boxed.....	D 1	Molasses.....	4	
Lounges.....	D 1	Moss, in sacks.....	1	
Lounge frames, in rough...	1	Moss, pressed, in bales.....	2	
Looms .....	D 1	Mon handles and sticks....	2	
Lumber, car load—see table of rates.	1½	Moldings and picture frames, boxed.....	1½	
Saw logs, same as lumber.		Moldings and picture frames, not boxed.....	D 1	
Lumber, less than car load, but not exceeding car rate	3	Moldings, common building	2	
Maccaroni.....	1	Moldings, car loads.....	Class A	
Machinery, car loads, not otherwise specified.....	Class A	Musical instruments, not otherwise specified.....	D 1	
Machinery, in frame.....	1½	Mustard.....	2	
Machinery not set up.....	1	Mustard seed.....	2	
Machinery, less than car load, boxed.....	2	Meskets.....	1	
Madder .....	2	Nails and ticks [tacks] in boxes .....	3	
Malt .....	4	Nails, spikes, in kegs.....	4	
Malt in car loads—same as wheat.		Nails, spikes, in car loads..	Class B	
Manilla .....	3	Nails, in bags.....	2	
Marble in blocks and slabs, rough .....	4	Nail rods.....	4	
Marble, wrought and let- tered .....	1	Naphtha .....	1	
Marble, blocks or slabs, car loads.....	Class A	Neck-yokes, turned and finished.....	2	
Marble dust.....	4	Nuts, edibles, in boxes or casks.....	2	
Marbles, in bxs., bbls. or casks .....	4	Nuts, in sacks .....	1	
Master wheels.....	2	Nuts and washers, iron....	4	
Matches .....	1	Nutmegs .....	1	
Mats and rugs.....	1	Oakum, in bales .....	2	
Matting .....	1	Ocher, earth paints.....	4	
Mattresses.....	D 1	Oars .....	1	
Mattresses, woven wire.....	1	Oat-meal .....	2	
Meal—same as flour.		Oil-cake.....	4	
Measures, tubs, and pails..	1	Oil-cake, car loads same as wheat.		
Meats, fresh.....		Oil-cloth .....	2	
Meats, salted or dried, in bags .....	1	Oil, lard, whale, linseed, and castor, in wood .....	3	
Meats, salted or dried, in boxes, bbls., or casks.....	4	Oil, other than coal oil, in car loads .....	4	
Medicines.....	1	Oil, coal, car loads.....	Class B	
Melodeons, boxed.....	1	Oil, in glass .....	1	
Melons .....	1	Oil, in wood jacket cans....	1	
	1	Onions, in sacks or bbls....	3	
	1	Onions, in car loads, same as potatoes.		
	1	Oranges and lemons.....	1	
	1	Organs—see cabinet organs.		

Classification of freight—continued.	Ordnance stores—see government supplies.		Plaster, less than 25 bbls...	4
	Osage orange seed.....	1	Plaster of paris .....	4
	Osage orange plants, less than car load.....	1	Plaster of paris ornaments	D 1
	Osage plants, in car loads.. Class A		Plate glass.....	D 1
	Oxbows and yokes.....	2	Plow steel.....	2
	Oysters and clams, in shell.....	1	Plows—see agricultural implements.	
	Oysters and clams, in cans fresh .....	1	Plow castings.....	4
	Packing rubber.....	2	Plow beams and handles, wood.....	3
	Pails .....	1	Plow beams, iron .....	4
	Paintings & pictures, boxed	D 1	Plumbago .....	4
	Paints, in boxes and cans, not otherwise specified...	2	Plumber's materials.....	2
	Paints, white lead and zinc, dry or in oil, in cans or kegs .....	4	Pop corn, on ear, in bbls or boxes .....	3
	Paints in bbls .....	4	Porcelain ware .....	1
	Palm leaves, in bales.....	1	Porter and ale, in glass, packed .....	1
	Paper hangings in boxes...	2	Pork, packed .....	4
	Paper hangings not boxed..	1	Posts—same as lumber.	
	Paper in boxes .....	1	Potash .....	4
	Paper, printing and wrapping .....	2	Potatoes in sacks or bbls., less than car loads.....	4
	Paper, printing and wrapping, in car loads.....	Class A	Potatoes in car loads—same as wheat.	
	Paris white, in bbls,—see plaster.		Potatoes, sweet.....	1
	Pasteboard .....	2	Potatoes, sweet, 50 bbls. or over .....	4
	Patent medicines.....	1	Poultry, dressed.....	1
	Patterns.....	1½	Poultry, alive, in coops.....	D 1
	Peaches, dried.....	2	Poultry, car loads.....	Class A
	Peaches, dried, 50 bbls.....	4	Powder .....	D 1
	Peaches, green.....	1	Powder, 10,000 lbs. or over .....	1
	Pearlash .....	4	Preserves, in glass or cans..	1
	Peas in casks, dried.....	3	Preserves, 100 boxes or more .....	2
	Peas, green.....	1	Printing presses .....	1
	Pelts and peltries, other than sheep.....	1	Prunes, in casks or boxes...	2
	Pepper sauce.....	1	Pumice stones.....	3
	Pepper .....	2	Pumps, iron.....	1
	Percussion caps.....	1	Pumps, wooden.....	2
	Phosphate of lime, in bbls. or boxes.....	4	Pumps in car loads.....	Class A
	Pianos .....	1	Pump tubing, wood.....	2
	Pickets, wood, same as lumber.		Pump tubing, wood, in car loads.....	Class A
	Pickles, in casks.....	3	Putty .....	3
	Pickles, in casks, car load...	4		
	Pickles, in glass.....	1	Quicksilver, in iron flasks..	1
	Pickles, 100 boxes or over..	2	Quinces.....	1
	Picture frames—see moldings.		Quartermaster's stores—see government supplies.	
	Pigs' feet, pickled.....	3	Rags, in sacks .....	1
	Pigs' feet, car loads.....	Class—	Rags, pressed in bales.....	3
	Pineapples .....	1	Rags, in bales, car loads....	4
	Pipes, smoking.....	2	Raisins, not strapped .....	1
	Pitch.....	4	Raisins, strapped .....	2
	Plaster, 25 bbls or more, see table of rates.		Raisins, strapped, car loads .....	4
			Rakes.....	1
			Rattan .....	1
			Refrigerators .....	1
			Refrigerators, car loads....	Class A

			Classification of freights— continued.
Resin.....	4	Seed drills, see agricultural implements.	
Retorts, clay.....	2	Seeds not otherwise speci- fied .....	2
Retorts iron.....	4	Sewing machines, knocked down, boxed .....	1
Rice in bags.....	2	Sewing machines, set up boxed .....	1½
Rice in tierces and barrels..	4	Sheep pelts, dry.....	1
Rigging.....	4	Sheep pelts, green, 1000 lbs. or over.....	3
Rivets, brass and copper.....	2	Sheep pel's, green, less than 1000 lbs.....	2
Rivets, iron.....	3	Shellac .....	2
Road scrapers.....	1	Shingle and stave bolts, in car loads same as lumber.	
Roofing paper.....	4	Shingle and stave bolts less than car loads.....	4
Roofing paper, car loads....	Class A	Shingles, see lumber.	
Roofs.....	1	Shingle machines.....	1
Rope, in coils.....	4	Shipstuff, same as mill feed.	
Rubber car springs.....	2	Shoe blacking .....	3
Rubber packing, hose, and belting .....	2	Shoe findings .....	1
Rugs and mats.....	1	Shoe pegs .....	1
Sacks, rag or wool.....	2	Shoe nails in boxes.....	2
Saddlery hardware.....	2	Shorts, same as mill stuffs.	
Saddles.....	1	Shovels and spades .....	2
Saddle trees.....	1	Shot, in kegs, boxes or gun- nies.....	4
Sad irons in boxes or bbls..	4	Shot in bags.....	1
Safes, milk, meat, or bread..	D 1	Showcases.....	D 1
Safes, iron.....	2	Sieves .....	1
Sago.....	1	Sizing .....	1
Salera/us.....	4	Skins not otherwise speci- fied, in bales.....	1
Salt, in sacks or boxes.....	4	Slate, school, boxed.....	2
Salt, less than 25 bbls.....	4	Slate, roofing.....	4
Salt, 25 bbls. or over—see table of rates		Slate, roofing, in car loads..	Class B
Salt, car loads, 70 bbls.....	Class C	Sleighs, boxed.....	D 1
Salts, Epsom and Glauber...	1	Sleighs not boxed, see car- riages.	
Saltpe'er.....	4	Sleighs and sleds, childrens'	D 1
Sand, car loads.....	Class C	Sleigh shoes ..	2
Sand, less than car loads (not to exceed car load rates).....	4	Smut machines .....	1
Sand paper.....	2	Snuff .....	1
Sardines.....	2	Soap, common .....	4
Sash, window.....	1	Soap, common, car loads....	Class A
Sash, glazed.....	1	Soap, fancy .....	2
Sash, doors, blinds, window and door frames, in car loads .....	Class A	Soap stone, slabs, boxed .....	4
Sash weights, iron.....	3	Soap stone dust, boxed.....	4
Saurkraut.....	4	Soda .....	4
Saws.....	Class C	Soda ash .....	4
Sawdust, car loads.....	Class C	Soda ash, car loads.....	Class C
Saw logs—see lumber.		Soda fountains .....	D 1
Scales and scale beams, boxed .....	2	Soda water in glass, packed	1
Scales and scale beams, not boxed .....	D 1	Sofas same as lounges.	
Scales and scale beams, in car loads.....	Class A	Solder .....	2
School slates, boxed.....	2	Sorghum sugar mills .....	4
Screws, iron .....	2	Sorghum syrup .....	4
Screws, wood .....	1	Spades.....	2
Scydes .....	2	Spelter .....	2
cythe snaths.....	1	Spelter, car loads.....	4
cythe stones.....	3		

Classification of freights— continued.	Spices .....	2	Terra cotta ornaments.....	1
	Spinning wheels.....	D 1	Terra cotta ornaments, car loads .....	4
	Spoke drivers.....	1½	Terra Japonica.....	3
	Spokes, wagon, car loads ...	Class A	Telegraph poles.....	Class 1
	Sponges.....	D 1	Thread.....	1
	Spring bed frames.....	D 1	Tents and fixtures.....	1
	Stained glass.....	D 1	Tete-a-tetes—see lounges.	
	Stalk cutters.....	1	Threshing machines—see agricultural implements.	
	Staples in kegs.....	4	Tile, drain.....	2
	Staves and heading less than car loads .....	4	Tile, drain, in car loads.....	Class B
	Staves and heading in car loads .....	Class B	Tin foil.....	1
	Stationery .....	2	Tin plate.....	4
	Starch .....	3	Tinware boxed .....	1
	Starch car loads .....	4	Tin cans, in wooden jackets	1
	Steam boilers—see boilers.		Tinware, loose .....	D 1
	Steam fire engines .....	Class A	Tire shrinkers.....	1
	Single machine, half car rate.		Tobacco, cut in bbls or boxes	1
	Steel .....	2	Tobacco, cut, in pails.....	D 1
	Steel springs, car.....	2	Tobacco, cut, in pails, strap- ped with iron or in boxes.	1
	Steel plow wings.....	2	Tobacco, plug, in caddies, three or more strapped together .....	3
	Stills, copper or iron .....	1	Tobacco, in caddies, not strapped .....	1
	Straw goods.....	1	Tobacco, unmanufactured, in hhds, boxes, or bales...	4
	Stone in block dressed in car loads .....	Class C	Tow.....	1
	Stone, less than car load (not to exceed car load rates).....	4	Tow, car loads.....	4
	Stone less than 18,000 lbs... Stone, rough.....	4	Tool chests.....	1
	Stoneware, car loads.....	Class A	Toys, boxed.....	D 1
	Stoneware, less quantities, see earthenware.		Traveling bags.....	1
	Stove blacking and polish..	2	Trays.....	1
	Stovepipe.....	1½	Trees and shrubbery, in car loads .....	Class A
	Stoveplate .....	D 1	Trees and shrubbery, in bales .....	D 1
	Stoves .....	1½	Trees and shrubbery, in boxes .....	1
	Stoves and stove fixtures, car loads.....	Class A	Tripe.....	2
	Stoves and stove furniture, 10,000 lbs. or over.....	4	Trunks, empty.....	D 1
	Stucco, same as plaster.		Tubs, in nests.....	1
	Straw, dressed, in bales, same as hay.		Tubs, not in nests.....	D 1
	Subsistence stores, see gov- ernment supplies.		Turned stuff.....	2
	Sugar, except maple.....	4	Turnips—same as potatoes.	
	Sugar in bags.....	2	Turpentine, spirits.....	1
	Sugar, maple.....	2	Turpentine, spirits, car loads .....	4
	Sugar evaporators.....	D 1	Twine, in bales.....	1
	Sugar kettles.....	2	Type.....	2
	Sumac .....	3	Type cases.....	1
	Sulphur in boxes, bbls., and kegs.....	2	Umbrellas, boxed.....	1
	Syrup.....	4	Valises.....	D 1
	Tallow.....	3	Varnish.....	1
	Tallow, car loads.....	4	Varnish, black.....	4
	Tar, except coal.....	4	Vegetables, not otherwise specified.....	1
	Tea.....	1	Veal.....	1
	Teasels.....	D 1		

Venison.....	1	Window frames.....	1	Classification of freights— concluded.	
Veneering, boxed.....	2	Window frames, car loads.....	Class A		
Veneering, not boxed.....	1	Window glass.....	2		
Vermicelli.....	1	Window glass, car loads.....			
Vices.....	2	Windmills, in pieces.....	1		
Vinegar.....	3	Wine, in baskets or boxes..	1		
Vinegar, in car loads.....	Class A	Wine, in bbls, see liquor, in wood.			
Vitriol, oil of.....	D 1	Wire cloth.....	1		
Wadding.....	D 1	Wire rope .....	3		
Wagon axles, iron.....	3	Wire, not otherwise speci- fied.....	2		
Wagon felloes, bows, spokes, and hubs.....	2	Wire, fence and telegraph..	4		
Wagon felloes, bows, spokes and hubs, in car loads.....	Class A	Wood, fuel, in car loads.....	Class D		
Wagons, common, car loads.....	Class A	Wood, in shape, unfinished	2		
Wagons on wheels—see car- riages.		Wood, in shape, car loads..	Class A		
Wagons, common, in pieces	1	Wooden handles, see han- dles of wood.			
Wagons, children's.....	D 1	Wooden ware.....	1		
Wagons, children's, knock- ed down and boxed.....	1	Wooden ware, boxed.....	2		
Wagon skeins and boxes....	2	Wooden ware, car loads ....	Class A		
Wagon skeins and boxes, in car loads.....	Class A	Woods of value, viz., ma- hogany, rosewood, lignum vitæ, cherry, cedar, wal- nut, etc.....	3		
Warps and beams.....	1	In car loads.....	Class B		
Washing machines.....	1½	Woolen goods .....	1		
Washing machines, car loads.....	Class A	Wool.....	1		
Washboards.....	2	Wringing machines, boxed	1		
Washboards, zinc lined, 25 dozen or over.....	3	Wringing machines not boxed .....	D 1		
Water lime, same as cement.		Yarn, pressed, in bales .....	1		
Wax.....	2	Yeast.....	1		
Weights, metal not o:her- wise specified.....	2	Zinc paint, see paint.			
Whalebone.....	1	Zinc sheet, in casks .....	4		
Wheelbarrows.....	D 1	Zinc sheet, in car loads.....	Class A		
Wheelbarrows, knocked down.....	1	Zinc sheet or roll, not packed .....	2		
Whips.....	1	Zinc, pigs or slabs.....	2		
Whisky.....	1	Freight will be billed at the actual weight, unless otherwise directed in the classification; 20,000 pounds will be considered a car load, except in cases of light and bulky articles, <i>where</i> [when] the car load shall be limited by the capacity of the car.			
Whisky, 20 bbls or more....	3				
White lead—see paints.					
Whiting.....	4				
Wicking.....	D 1				
Willow cuttings, in boxes..	2				
Willow cuttings, in bales....	1				
Willow reeds.....	2				
Willow ware.....	D 1				

SEC. 6. Every railroad corporation doing business in this state, shall prepare and keep posted in each of its freight and passenger offices, a copy of the foregoing classification of freights, together with a true copy of the schedules of rates of freight and passenger tariffs under which said road may be brought by the foregoing classification.

SEC. 7. It shall be the duty of each railroad corporation operating a railroad in this state during the month of January, 1875, and each and every year thereafter, to make and return to the Governor.

How verified.	governor a statement of its gross receipts on its entire road within this state for the year preceding and ending with the 31st day of December. Said statement shall be sworn to by the president and superintendent of the road in this state, and shall contain a detailed statement of the entire receipts for transporting freight and passengers, and all other sources of income of the road. A failure to comply with the provisions of this section shall subject the corporation so failing, to a penalty of one hundred dollars per day, for each and every day after such report is due until it is made; to be recovered in an action in the name of the state of Iowa, for the benefit of the school-fund.
Penalty for failure to comply.	If the executive council shall, on examination, be satisfied of the correctness of said return, it shall be their duty to classify the different railroads in this state as hereinbefore provided, and the governor, when there shall be any change in classification, shall issue a certificate to any corporation or corporations affected by such change, certifying to them the class to which they are respectively assigned. And any change of rates made by any railroad corporation pursuant to any change of classification, shall take effect and be in force from and after the 4th day of July following such changes. The reports from the railroad corporations of this state for the year 1873, made pursuant to the provisions of section 1280 of the code, shall determine the classification of each road for the year ending July 3d, 1875.
Executive Council to classify.	SEC. 8. Where any prosecution or action for the violation of any of the provisions of this act in relation to the transportation of passengers or freight, shall be commenced, it shall be the duty of the governor when notified thereof, and requested by the person or persons commencing the prosecution or action, supported by a recommendation of at least twenty tax-payers of the county where the violation occurred, to employ suitable counsel, if he deem it necessary, to conduct or assist in conducting the
Governor to certify classification.	\$10,000, appropriated for counsel, &c.
Rates to take effect when. Classification for first year Code; § 1280.	same; and the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury, for compensation for such counsel, and to pay any incidental expenses necessary to carry on said prosecution or action. Such compensation and incidental expenses shall be
Audit.	audited and allowed by the auditor of state on the certificate of the executive council, that services were actually performed, and such incidental expenses necessary, and that the sums in such certificates were reasonable for the service rendered. And when thus certified and allowed, it shall be paid by the treasurer of state out of said appropriation, less whatever amount may be allowed
Allowance by court.	by the court or courts and included in the judgment as attorney's fees.
Roads operated by same company one road.	SEC. 9. All connecting railroads in this State, operated or controlled by the same person or company, under lease or otherwise, shall for the purposes of this act, in computing distances and determining rates and classes of roads, be regarded as one road.
No discrimination between individuals.	SEC. 10. No railroad company shall charge any person, company, or corporation for the transportation of any property a greater sum than it shall at the same time charge and collect from

any other person, company, or corporation for a like service, from same place and upon like conditions, and all concessions of rates, drawbacks, and contracts for special rates founded upon the demands of commerce and transportation shall be open to all persons, companies, and corporations alike.

SEC. 11. Any officer, agent, or employee of any railroad company, person, or corporation, operating a line of railroad within this state, who shall violate or be a party to the violation of any of the provisions of this act, or instrumental therein, shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished for every such offense by fine not less than twenty dollars, nor more than one hundred dollars, or by imprisonment not less than five nor more than thirty days; or any such person, corporation, or railroad company as aforesaid, who shall authorize, direct, cause, permit, or allow any violation of the provisions of this act by any officer, agent, or employee, such railroad company, person, or corporation shall forfeit and pay to the person injured five times the amount, compensation, or charge illegally taken or demanded, or five times the amount of damage caused as the case may be, to be recovered with a reasonable attorney's fee by such person in a civil action in any court or before a justice of the peace, as the case may be, of this state; and if an appeal be taken from the judgment or any part thereof, it shall be the duty of the appellate court to include in the judgment an additional reasonable attorney's fee for services in the appellate court or courts; and for every such violation such railroad company, person, or corporation shall forfeit and pay to the state of Iowa, for the use of the school-fund, the sum of five hundred dollars, to be recovered in any civil action in the name of the state; and it is hereby made the duty of the attorney-general of the state and of the several district-attorneys within their respective districts to sue for and recover all sums forfeited as aforesaid.

SEC. 12. The terms "railroad corporation" and "railroad company," contained in this act, shall be deemed and taken to mean all corporations, companies, or individuals now owning, or which may hereafter own or operate any railroad, in whole or in part, in this State; and the provisions of this act shall apply to all persons, firms, and companies, and to all associations of persons, whether incorporated or otherwise, that shall do business as common carriers upon any of the lines of railways in this state (express companies and street railways excepted) the same as to railroad corporations hereinbefore mentioned.

SEC. 13. All acts or parts of acts inconsistent with this act are hereby repealed.

Approved March 23d, 1874.

## CHAPTER 69.

## IN RELATION TO GAME.

AN ACT to Repeal Section 4048, Title 24, Chapter 11, of the Code, and to Enact a Substitute in Lieu thereof.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Iowa,* That section 4048, title 24, chapter 11, of the code be repealed, and the following enacted in lieu thereof:

**Sec. 4048.** If any person, elsewhere than on his own premises, shoot or kill any prairie hen or chicken, between the first day of December and the fifteenth of August next following, for the purpose of shipping the same to any point within or without the state for the purpose of selling the same for profit; or if any person ensnare, trap, or kill any woodcock between the first day of January and July in any year, or ruffed grouse or pheasant, between the 15th day of December and the 12th day of September, or any wild turkey, between the first day of February and the first day of September in any year; or if any person, anywhere or at any time of the year, shoot, kill, ensnare, or trap any quail, except that it shall be lawful for any person to shoot quails upon any inclosed or improved premises, with the consent of the owner or occupant thereof, between the first day of October and the first day of January; or if any person buy, sell, or ship any of the above birds of game, which have been trapped, ensnared, or killed, contrary to the provisions of this section, he shall be punished by a fine of \$5.00 for each bird of any kind of game above mentioned thus killed, trapped, ensnared, bought, sold, or held in possession; or if any person kill, ensnare, or entrap any wild deer, elk, or fawn, between the first day of January and the first day of September in any year; or if any person kill, ensnare, or trap any beaver, mink, otter, or muskrat, between the first day of April and the first day of November of any year; or if any person buy or sell any of the above animals ensnared, killed, or trapped contrary to the provisions of this section, he shall be punished by a fine of ten dollars for each kind of animals above mentioned thus killed, trapped, ensnared, bought, sold, or held in possession: but it shall be lawful for any person living within this State to ship to any person living within or without this State prairie hens or chickens, or other game-birds described in this act, not to exceed one dozen in any one day, provided he shall first make an affidavit before some person authorized to administer oaths that he is a resident of the State of Iowa; that said game-birds are not being shipped for sale or profit; giving the name of any person to whom shipped and his postoffice address; the number of birds shipped, and a true copy of such affidavit to be signed by the person taking the affidavit, on which shall be indorsed the words "A true copy of the original," which copy shall be given to the common carrier or railroad agent, which copy shall be prima facie evidence to the agent or carrier of its genuineness, and shall

**Code: § 4048  
repealed.**

**New section.**

**Killing of game at certain seasons prohibited.**

**Prairie chickens.**

**Woodcock.**

**Ruffed grouse or pheasant.**

**Wild turkey.**

**Quail.**

**Buying, selling, or shipping.**

**Penalty.**

**Deer and elk.**

**Beaver, &c.**

**Buying or selling same.**

**Fine.**

**What lawful.**

release such carrier or agent from any liability in said shipment or carrying of said game, and the original affidavit shall be retained by the person taking the same, and shall be used as evidence in any trial to which said affidavit belongs; and if any person ensnare or trap any prairie hen or chicken, quail, or any other game-birds mentioned in this act at any season of the year, or if any person shoot or in any manner kill or capture any of the above mentioned birds or animals contrary to the provisions of this section, he shall be liable to the penalties provided in section 4050 of the code of 1873.

Approved March 23d, 1874.

## CHAPTER 70.

### THE HERD LAW AMENDED.

#### AN ACT to Amend Chapter 3, Title XI. of the Code in relation to Domestic and other Animals.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa, That sections 1446, 1448, 1450, 1451, 1452, 1453, 1457, 1458, 1459, 1460, 1461, 1462, and 1463 of the code be and the same are hereby repealed, and the following enacted in lieu thereof, to-wit:*

SEC. 2. Section 1446. Every owner of swine, sheep, or goats shall restrain the same from running at large. Swine, sheep, and goats restrained.

SEC. 3. Section 1448. When any person is injured in his lands, inclosed by a lawful fence, by any kind of domestic animal, he may recover his damages by an action against the owner, or by distraining the animals doing the damage; but if they were lawfully on the adjoining land, and escaped therefrom by reason of the neglect of the person suffering the damage to maintain his part of the division fence, the owner of the animals shall not be liable for such damage, and if the party injured elects to recover by action against the owner of the stock, no appraisement need be made by the trustees as in cases of distraint; and in counties where by police regulation stock is restrained from running at large, any person injured in his improved or cultivated lands by any domestic animal may recover his damages as provided in section six of this act and sections 1454, 1455, and 1456 of the code, whether the lands whereon the injury was done was inclosed by a lawful fence or not. Owner not liable when. Recovery when stock is restrained from running at large. §§ 1454-1456.

SEC. 4. Section 1450. Section 309 of the code is hereby amended by striking out the word "now" in the fifth line thereof; and the word "stock," as used therein and in this chapter, is hereby declared to mean cattle, horses, mules, and asses; and, under said section, the board of supervisors of each county may—and on petition of one-fourth of the legal voters thereof, as shown by the returns of the last general election, must—submit, in the manner provided by section 310 of the code, except as herein

modified, to the electors of the county at the next general election, or, if they deem it advisable, at a special election called for that purpose, the following questions of police regulation, or either of them, and no others, to-wit :

Questions  
that may be  
submitted.

•

First. Shall stock be restrained from running at large ?

Second. Shall stock be restrained from running at large between sunset and sunrise ?

Third. Shall stock be restrained from running at large from the first day of (naming the month) in each year, until the first day of (naming the month) following ?

Fourth. Shall stock be restrained from running at large between sunset and sunrise from the first day of (naming the month) in each year, until the first day of (naming the month) following ?

Regulation in  
force when.

Proviso: reg-  
ulation  
declared in  
force in coun-  
ties adopting  
provisions of  
herd law.

SEC. 5. Section 1451. If at such election a majority of the electors voting thereon, shall vote in favor of either of such regulations, then the same shall take effect and be in force at the end of thirty days after said election, and shall continue in force until the end of ninety days after an election at which, on a resubmission of the same question, a majority of the electors of the county voting thereon shall vote against the same: *Provided*, That where any county prior, to the taking effect of this act, shall have voted, on the submission of such question "for restraining stock from running at large;" or "for restraining stock from "running at large between the hours of sunset and sunrise," as provided in chapter 3, title 11, of the code, or in the law or laws to which the same is amendatory, such vote is hereby declared to be legal and valid, and to amount to an adoption by the county of the police regulation so voted for, as the same is herein set out as fully and effectually as if the same was submitted and voted for under this act, except that the same shall be and remain in force in such county until the end of thirty days after the next general election and no longer unless readopted thereat.

Owner of  
stock liable  
for damage  
where police  
regulation is  
adopted.

How recov-  
ered.

Proviso:  
when animals  
shall not be  
considered  
running at  
large.

Who to be  
considered  
owner.

SEC. 6. Section 1452. The owner of any stock or domestic animal, prohibited by law or police regulation of any country from running at large at any of the times hereinbefore mentioned, shall be liable for all damages done thereby while wrongfully remaining at large upon the public highway or upon the improved or cultivated lands of another, which may be recovered by action at law, or the party injured may, at his option, distrain the trespassing animals, and retain the same in some safe place, at the expense of the owner, until the damages are paid as provided in section[s] 1454, 1455, and 1456 of the code: *Provided*, That no stock or domestic animal, except the male animals mentioned in section 1447 of the code, shall be considered as running at large, so long as the same is upon unimproved or uncultivated lands, and under the immediate care and control of the owner, or upon the public highway under like care and control, for the purpose of travel or driving thereon.

SEC. 7. Section 1453. The word owner, as used in the preceding and in the three succeeding sections of this chapter of the code, shall include the person entitled to the present possession

of the animal, and also the person having the care or charge of the same, as well as the person having the legal title thereto.

SEC. 8. This act being deemed of immediate importance shall take effect immediately from and after its publication in The Iowa State Register, and the Iowa State Leader, newspapers published in Des Moines, Iowa, anything in the code notwithstanding.

Approved March 28th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* March 31, and in *The Iowa Daily State Register* April 1, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 71.

### AGRICULTURAL COLLEGE LANDS.

#### AN ACT to Regulate the Leasing of the Lands belonging to the Iowa State Agricultural College.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa:* The board of trustees of the Iowa state agricultural college and farm are hereby authorized to lease the land granted to the State of Iowa by an act of Congress entitled, "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2d, 1862, in amount not exceeding one hundred and sixty acres to any one person, for a term not exceeding ten years, the lessee to pay eight per cent. per annum in advance upon the price of said land, which is hereby declared to be not less than fifty per cent. additional to the price at which each piece of said land, respectively, was appraised by the board of trustees in the year 1865; and the said lessee shall have the privilege of purchasing said land at the expiration of the lease at the price aforesaid. The lessee failing to pay the interest upon said lease, within sixty days from the time the same becomes due, shall forfeit his lease, together with the interest paid thereon, and the improvements made on said land.

SEC. 2. The said board of trustees are also authorized to renew leases heretofore made, for a term not exceeding ten years from the date of such renewal, the rate of interest to be eight per cent., and when leases are so renewed the lands shall be subject to assessment for taxation at the end of ten years from the date of the original lease. The board of trustees shall cause to be certified to the auditors of the several counties, in which said lands are situated, a list of said land which may be subject to taxation as herein provided: *Provided*, That the releasing of this land shall be done by the secretary of the said college without extra compensation.

Code : § 1616  
repealed.

SEC. 3. Section 1616 of the Code of 1873, and all acts and parts of acts conflicting with the provisions of this act are hereby repealed.

Publication clause.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in The Iowa State Register and State Leader, newspapers published in Des Moines.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* March 26, and in *The Iowa Daily State Register* March 28, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CERTIFICATE.

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STATE OF IOWA,  
OFFICE SECRETARY OF STATE, {

I, Josiah T. Young, Secretary of State of the State of Iowa, hereby certify that the Acts contained in this volume are "truly copied from the original rolls" on file in this office, and that the same are true copies, except that the words inclosed in brackets [thus] have been added where it was evident that there was an omission.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Iowa.



Done at Des Moines, the Capital of the State, this 5th day of June,  
A. D. 1874.

JOSIAH T. YOUNG,  
*Secretary of State.*



## FINANCIAL STATEMENT.

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STATE OF IOWA, AUDITOR'S OFFICE, }  
Des Moines, May 1st, 1874. }

HON. JOSIAH T. YOUNG, *Secretary of State*:

SIR: In compliance with the provisions contained in Section 18, Article 3 of the Constitution of Iowa, I herewith furnish to you for publication with the laws of the Fifteenth General Assembly, a statement of the receipts and expenditures of the public money for the two fiscal years ending on the first day of November, 1873.

Yours truly,

JOHN RUSSELL, *Auditor of State*.



# AUDITOR'S STATEMENT

OF

## RECEIPTS AND DISBURSEMENTS OF THE PUBLIC MONEY,

FOR TWO YEARS, ENDING NOVEMBER 1, 1873.

OFFICE OF AUDITOR OF STATE, }  
DES MOINES, Iowa, May 1st, 1874. }

The following is an accurate statement of the receipts and expenditures of the public money for the two years commencing on the 4th day of November, 1871, and ending on the 1st day of November, 1873, both days inclusive.

The balance remaining in the State Treasury at the close of the fiscal year November 4, 1871, as shown by my last report, was \$95,969.26.

There was received into the State Treasury during the past two fiscal years, from all sources, the sum of \$2,407,938.86, which added to the above amount on hand makes the sum of \$2,503,908.12; and the disbursements by the State Treasurer during the same period amounted to \$2,446,680.08, leaving in the State Treasury November 1, 1873, the sum of \$57,228.04.

This balance is distributed among the several funds as follows:

General Revenue.....	\$ 31,217.66
Coupon Fund.....	1,155.85
Swamp Land Fund.....	3,476.84
Des Moines River Land claims, (special fund) .....	61.88
Agricultural College Endowment Fund.....	11,382.13
Permanent School-Fund.....	9,835.68
Temporary School-Fund.....	98.00
 Total.....	 \$57,228.04

### 1ST—GENERAL STATEMENT OF RECEIPTS AND DISBURSEMENTS.

#### RECEIPTS.

The receipts were derived from the following sources:

General Revenue—

From State Tax Levy.....	\$1,595,010.81
From Interest on delinquent taxes.....	54,195.19
From Insane dues from counties.....	226,250.12
From Peddlers' Licenses.....	382.66
From Sale of Laws and Revisions.....	765.58
From Railroad Taxes received in 1872.....	34,230.63
From Insurance Companies for taxes.....	76,721.23
From Insurance Companies for fees by Auditor.....	31,091.32
From Secretary of State for fees .....	3,253.80
From Register of State Land Office for fees.....	215.25
From United States on War and Defense Fund .....	102,247.86
From sale of arms, accoutrements, waste paper, etc.....	5,213.06
 Total.....	 \$2,129,577.51

Coupon Fund—transferred from General Revenue .....	\$ 42,000.00
Railroad Fund--from taxes on Railroads in 1872.....	171,152.98
Swamp-Land Fund—from United States.....	4,566.35
Agricultural College Endowment Fund—from sale of lands.....	4,689.72
Permanent School-Fund—5 per cent. fund from United States and Eads' Loans.....	15,574.14
Temporary School-Fund—from interest on State bonds and Eads' Loans.	40,378.16
 Total receipts for two years .....	\$2,407,938.86
Balance in Treasury November 4, 1871 .....	95,969.26
 Total .....	\$2,503,908.12

## DISBURSEMENTS.

The disbursements were for the following purposes:

General Revenue—	
Redemption of Auditor's warrants .....	\$2,177,293.04
Interest allowed on same .....	2,807.65
 Total .....	\$2,180,100.69
 Railroad Fund—	
Apportioned to State .....	\$ 34,230.63
Apportioned to Counties.....	136,922.35—\$171,152.98
 Swamp-Land Fund—paid to counties.....	3,723.96
Coupon Fund—redemption of coupons .....	42,098.00
Permanent School-Fund—apportioned to counties.....	8,833.46
Temporary School-Fund—apportioned to counties .....	40,770.99
 Total disbursements for two years.....	\$2,446,680.08
Balance in Treasury November 1, 1873 .....	57,228.04
 Total.....	\$2,503,908.12

## 2d—STATE INDEBTEDNESS.

War Defense Fund, 7 per cent. bonds issued under chapter 16, acts of extra session of 1861, due July 1, 1881.....	\$ 300,000.00
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The Revenue Fund has also become responsible to the School Fund for the following bonds:

Bond No. 1, issued to the Permanent School Fund of the State, dated November 12, 1864, interest payable on the 1st days of January and July in each year at 8 per cent. for .....	\$ 122,295.75
Bond No. 2, issued to the Permanent School Fund of the State, dated March 2, 1868; interest payable on the 1st days of January and July in each year at 8 per cent. for.....	112,202.26
Bond No. 3, issued to the Permanent School Fund of the State, dated November 1, 1871, interest payable on the first days of January and July in each year at 8 per cent. for.....	8,558.14
 [This last bond, No. 3, was issued for losses to Permanent School Fund, in accordance with article 7, section 8, of new constitution, and of section 2, chapter 134, acts of 1864.]	
 Total bonded indebtedness .....	\$ 543,056.15

## 3D—EXPENDITURES OF STATE REVENUE.

*Showing the Amount of Warrants issued, and to what Account charged, and other Expenditures of General Revenue during the two Fiscal Years ending November 1st, 1873.*

ACCOUNTS.	AMOUNT EXPENDED.
Adjutant-General's salary.....	\$ 3,833.18
Adjutant-General's Clerks' fund.....	2,050.73
Attorney-General's salary and <i>per diem</i> .....	4,373.75
Auditor of State's salary.....	4,400.00
Auditor of State's Deputy's salary.....	2,450.00
Auditor of State's Contingent Fund.....	2,859.77
Circuit Judge's salary, 1st Circuit, 1st District.....	1,875.00
Circuit Judge's salary, 2d Circuit, 1st District .....	2,000.00
Circuit Judge's salary, 1st Judicial Circuit .....	1,649.97
Circuit Judge's salary, 1st Circuit, 2d District.....	1,875.00
Circuit Judge's salary, 2d Circuit, 2d District.....	2,895.83
Circuit Judge's salary, 2d Judicial Circuit.....	1,833.32
Circuit Judge's salary, 1st Circuit, 3d District.....	1,875.00
Circuit Judge's salary, 2d Circuit, 3d District.....	2,100.00
Circuit Judge's salary, 3d Judicial Circuit.....	1,649.98
Circuit Judge's salary, 1st Circuit, 4th District .....	2,125.00
Circuit Judge's salary, 2d Circuit, 4th District.....	1,770.83
Circuit Judge's salary, 4th Judicial Circuit.....	1,619.39
Circuit Judge's salary, 1st Circuit, 5th District .....	1,750.00
Circuit Judge's salary, 2d Circuit, 5th District .....	1,750.00
Circuit Judge's salary, 5th Judicial Circuit.....	1,833.30
Circuit Judge's salary, 1st Circuit, 6th District .....	1,875.00
Circuit Judge's salary, 2d Circuit, 6th District .....	2,250.00
Circuit Judge's salary, 6th Judicial Circuit.....	1,640.25
Circuit Judge's salary, 1st Circuit, 7th District .....	1,750.00
Circuit Judge's salary, 2d Circuit, 7th District.....	2,115.00
Circuit Judge's salary, 7th Judicial Circuit.....	1,436.09
Circuit Judge's salary, 1st Circuit, 8th District .....	2,125.00
Circuit Judge's salary, 2d Circuit, 8th District .....	1,895.83
Circuit Judge's salary, 8th Judicial Circuit.....	1,618.75
Circuit Judge's salary, 1st Circuit, 9th District .....	2,162.50
Circuit Judge's salary, 2d Circuit, 9th District.....	2,125.00
Circuit Judge's salary, 9th Judicial Circuit.....	1,090.25
Circuit Judge's salary, 1st Circuit, 10th District .....	2,250.00
Circuit Judge's salary, 2d Circuit, 10th District.....	1,875.00
Circuit Judge's salary, 10th Judicial Circuit.....	1,833.30
Circuit Judge's salary, 1st Circuit, 11th District.....	1,875.00
Circuit Judge's salary, 2d Circuit, 11th District.....	1,750.00
Circuit Judge's salary, 11th Judicial Circuit .....	1,283.13
Circuit Judge's salary, 1st Circuit, 12th District .....	2,130.00
Circuit Judge's salary, 2d Circuit, 12th District.....	1,875.00
Circuit Judge's salary, 12th Judicial Circuit.....	1,613.40
Circuit Judge's salary, 13th Judicial Circuit .....	1,802.74
District Judge's salary, 1st District .....	3,666.62
District Judge's salary, 2d District.....	4,399.92
District Judge's salary, 3d District.....	4,583.28
District Judge's salary, 4th District.....	4,766.59
District Judge's salary, 5th District.....	4,400.63
District Judge's salary, 6th District.....	4,216.59
District Judge's salary, 7th District .....	4,216.59
District Judge's salary, 8th District.....	4,583.26
District Judge's salary, 9th District.....	4,216.59
District Judge's salary, 10th District.....	4,533.25
District Judge's salary, 11th District .....	3,310.00
District Judge's salary, 12th District.....	4,583.25

ACCOUNTS.	AMOUNTS EXPENDED.
District Judge's salary, 13th District .....	\$ 1,833.30
District Attorney's salary, 1st District.....	1,150.00
District Attorney's salary, 2d District.....	1,300.00
District Attorney's salary, 3d District.....	1,000.00
District Attorney's salary, 4th District .....	1,200.00
District Attorney's salary, 5th District .....	1,200.00
District Attorney's salary, 6th District .....	1,100.00
District Attorney's salary, 7th District.....	1,150.00
District Attorney's salary, 8 h District.....	1,200.00
District Attorney's salary, 9th District.....	1,200.00
District Attorney's salary, 10th District.....	1,200.00
District Attorney's salary, 11th District.....	1,502.78
District Attorney's salary, 12th District.....	1,230.00
District Attorney's salary, 13th District .....	450.00
Governor's salary and house rent.....	7,050.00
Governor's Contingent Fund.....	1,388.67
Governor's Private Secretary's salary .....	2,400.00
Janitor and Night Watch .....	5,645.81
Register of State Land Office's salary .....	4,400.00
Register of State Land Office's Deputy's salary .....	2,400.00
Register of State Land Office's Contingent Fund .....	544.10
Superintendent of Agricultural College and Farm salary .....	1,916.65
Secretary of State's salary .....	4,399.33
Secretary of State's Deputy's salary.....	2,400.00
Secretary of State's Contingent Fund .....	1,137.40
State Treasurer's salary ... .....	4,400.33
State Treasurer's Deputy's salary.....	2,400.00
State Treasurer's Contingent Fund.....	1,082.25
State Superintendent of Weights and Measures .....	100.00
Superintendent of Public Instruction's salary.....	4,399.67
Superintendent of Public Instructions Deputy's salary .....	2,375.00
Superintendent of Public Instruction Contingent Expenses.....	*1,052.15
Superintendent of Public Instruction Clerk's Fund .....	980.00
Supreme Judge's salary, Hon. J. M. Beck.....	4,600.00
Supreme Judge's salary, Hon. C. C. Cole .....	5,940.00
Supreme Judge's salary, Hon. J. G. Day.....	6,000.00
Supreme Judge's salary, Hon. W. E. Miller .....	6,000.00
Supreme Judge's Clerk hire for Chief Justice .....	1,500.00
Supreme Court Contingent Fund.....	8,126.50
State Librarian's salary.....	1,900.00
General Contingent Fund .....	12,921.83
Miscellaneous Expenses.....	811.42
Asylum for Orphans at Andrew .....	5,000.00
Agricultural Societies.....	34,766.00
Agricultural College Improvements.....	38,500.00
Agricultural College Trustees Mileage.....	4,217.00
Arrest of Fugitives .....	2,038.15
Adjusting Permanent School Fund accounts .....	578.40
Blind, Institution for (Support and pupilage).....	48,280.00
Blind, Institution for (Clothing account).....	2,142.92
Blind, Institution for (Improvements) .....	68,700.00
Commissioner to Washington, (Dewey).....	3,520.93
Commissioner to Washington, (Harvey) .....	672.75
Commissioner to Washington, (Cleghorn).....	2,274.95
Commissioners of Immigration, (Support) .....	9,461.23
Commissioners of Immigration, (Mileage).....	647.95
Commissioners to Revise Laws.....	8,325.30
Code of 1873, (Editor and Clerk).....	2,780.00
Deaf and Dumb Institute, (Support and pupilage) .....	54,457.77

\*\$750.00 of this amount was paid to Hon. A. S. Kissell, in accordance with Attorney General's opinion.

ACCOUNTS.	AMOUNTS EXPENDED.
Deaf and Dumb Institute, (Building at Council Bluffs) .....	\$ 24,691.59
Deaf and Dumb Institute, (Clothing account) .....	360.00
Des Moines River Lands.....	248.90
Des Moines River Land Commissioners.....	5,790.60
Educational Journal .....	297.00
Expenses of Census Board Assessing Railroads.....	20.00
First Iowa Cavalry Claims.....	1,423.96
Fourteenth General Assembly, (Mileage and <i>per diem</i> ).....	113,392.17
Fourteenth General Assembly, (Newspapers) .....	5,908.65
Fourteenth General Assembly, (Postage).....	8,701.69
Fourteenth General Assembly, (Special appropriations).....	10,866.90
Fourteenth General Assembly, (Adjourned Session, <i>per diem</i> , Postage and Stationery).....	40,824.51
Fourteenth General Assembly, Adjourned Session, (Special appropriations and Postage) .....	3,718.61
Gray Uniform Claims.....	313.30
Hospital for Insane, Mt Pleasant, (County dues).....	184,000.00
Hospital for Insane, Mt. Pleasant, (State dues).....	21,985.00
Hospital for Insane, Mt. Pleasant, Trustees expenses) .....	1,243.35
Hospital for Insane, Mt. Pleasant, (Improvements).....	20,100.00
Hospital for Insane, Independence, (Building).....	200,000.00
Hospital for Insane Independence, (County dues) .....	22,000.00
Hospital for Insane, Independence, (Trustees expenses).....	784.36
Hospital for Insane, (Commissioner's expenses to examine patients)....	116.90
Hospital for Insane, (Superintendent's expenses).....	36.80
Iowa Soldiers' Orphans' Home, (Support).....	138,880.00
Iowa Soldiers' Orphans' Home, (Improvements) .....	12,700.00
Iowa Soldiers' Orphans' Home, (Trustees' mileage).....	1,756.20
Interest on School Fund Loans.....	38,557.15
Interest on War Bonds.....	42,000.00
Indexing and Distributing Journals and Laws .....	5,500.00
New Capitol Building.....	258,150.41
Penitentiary, Fort Madison, (Expenses of Census Board).....	17.70
Penitentiary, Fort Madison, (Guard pay).....	26,167.88
Penitentiary, Fort Madison, (Improvements) .....	6,600.00
Penitentiary, Fort Madison, (Visitors) .....	138.90
Penitentiary, Fort Madison, (Clerk's salary).....	1,500.00
Penitentiary, Fort Madison, (Chaplain's salary).....	1,200.00
Penitentiary, Fort Madison, (Physician's salary) .....	1,200.00
Penitentiary, Fort Madison, (Warden's salary).....	3,000.00
Penitentiary, Fort Madison, (Deputy Warden's salary).....	1,999.92
Penitentiary, Anamosa, (Building).....	50,000.00
Penitentiary, Anamosa, (Support).....	825.00
Penitentiary, Anamosa, (Reward for escaped convicts).....	50.00
Permanent School Fund Costs.....	179.55
Publishing Laws in Newspapers.....	64,379.36
Providential Contingencies.....	5,290.60
Presidential Election Returns.....	1,502.99
Quartermaster General's Expenses.....	4,420.00
Repairs in Land Office.....	300.00
Relief of Metz.....	212.50
Swa np Land Indemnity Fund Expenses.....	15.00
State Reform School, (Support).....	31,000.00
State Reform School, (Building).....	40,947.05
State Reform School, (Trustees' Mileage).....	1,216.50
State Binding .....	35,217.55
State Printing .....	36,773.73
State Horticultural Society, (Support).....	1,000.00
State University, (Improvement and Support).....	53,700.00
State University, (Trustees' mileage).....	2,166.00
State Historical Society, (Support).....	1,000.00

ACCOUNTS.	AMOUNTS EXPENDED.
Stationery.....	\$ 53.108.77
Supreme Court Reports.....	12 500.00
State Library.....	1,613.12
Teachers' Institutes.....	8,150.00
War and Defense Fund (Revenue).....	908.91
War Claims of Counties and Cities.....	10,163.26
 Total Amount of Warrants issued during the two years.....	\$ 2,164,650.91
Interest paid on Revenue Warrants redeemed .....	2,807.65
Mileage to County Treasurers and Banks.....	5,324.69
 Total Expenditures.....	\$ 2,172,783.25

The foregoing is an accurate statement of the receipts and expenditures of the public moneys for the two years ending on the first day of November, A. D. 1873, as shown by the books in this office.

JOHN RUSSELL, Auditor of State.

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## APPENDIX.

No evidence has been received at the office of the secretary of state that Chapter 52, entitled "An Act to Amend Section 509 of the Code of 1873," has been published in the *Chariton Leader*, one of the papers named in the act.

I hereby certify that chapter 56 of the foregoing acts, being "An Act to Amend Sections 3181 and 3182 of the Code of 1873," was published, at Des Moines, in *The Iowa Daily State Register* April 4, and in the *Iowa State Leader* April 9, 1874.

JOSIAH T. YOUNG, Secretary of State.

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## ERRATA.

For errors in titles, and references therein, see Tables of Contents at beginning of book.



















